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# THE PAPACY

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# A HISTORY

OF

# THE PAPACY

DURING

THE PERIOD OF THE REFORMATION

BY

M. CREIGHTON, M.A.

LATE FELLOW OF MERTON COLLEGE, OXFORD

VOL. I.

THE GREAT SCHISM—THE COUNCIL OF CONSTANCE

1378—1418

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# PREFACE.

My aim in this book is to bring together materials for a judgment of the change which came over Europe in the sixteenth century, to which the name of 'The Reformation' is loosely given. I have attempted to do this from a strictly historical point of view,—by which I mean that I have contented myself with watching events and noting the gradual development of affairs. I have taken the history of the Papacy as the central point for my investigation, because it gives the largest opportunity for a survey of European affairs as a whole. I have not begun with the actual crisis itself, but have gone back to trace the gradual formation of opinions which were long simmering below the surface before they found actual expression. I purpose, if opportunity should be given me, to continue my survey in succeeding volumes to the dissolution of the Council of Trent.

I have begun with a period of general helplessness, when men felt that the old landmarks were passing away, but did not see what was to take their place. The period of the Great Schism in the Papacy was but a reflection of similar crises in the history of the chief states of Europe. Dreary as the history of the Schism may be, its records show that it gave a great impulse to European thought. The existence of two Papal Courts doubled Papal taxation and produced a deep-seated feeling of the need for some readjustment in the relations of the Papacy towards national churches. The attempts to heal the Schism led to a serious criticism of the Papal system by orthodox theologians, and to an examination of primitive

usage which was fruitful for later times. The difficulties experienced in finding any way out of the dilemma called the attention of statesmen to the anomaly of the existence of an irresponsible and indeterminable power. The theological and political basis of the Papacy was discussed, and Europe did not forget the results of the discussion. The power of the State, which at least rested on intelligible grounds, interfered somewhat rudely to heal the breaches of an institution whose pretensions were so lofty that its mechanism, once disordered, could not be amended from within.

The result of many experiments and much discussion was the establishment of a General Council as the ultimate court of appeal. Unsuccessful through its crudity at Pisa, the conciliar system asserted itself at Constance, and was strong enough to answer its immediate purpose, and end the Schism. But when it had done this, it could do nothing more. The abolition of ecclesiastical grievances was beyond its power. Men could not discover the interests of Christendom, because they were overlaid by conflicting interests of classes and nations. The Council, which expressed in the fullest manner the unity of Christendom, showed that that unity was illusory. The conciliar principle was set up as a permanent factor in the organisation of the Church, and men hoped that it might be more fortunate in the future.

The condition of Europe and the fortunes of the Papacy offered a brilliant opportunity to the Council of Basel. In some things it succeeded; but it was helpless to reorganise the Church. It attacked, instead of reforming, the Papacy: it proposed to hand over the Church to a self-constituted parliament. The Council of Constance failed because it represented Christendom too faithfully, even to its national dissensions. The Council of Basel failed because, in its endeavour to avoid that danger, it represented nothing save the pretensions of a self-elected, self-seeking body of ecclesiastics.

The failure of the Council of Basel showed the impossibility of reforming the Church from within. But though the General

Councils could not carry out a conservative scheme of reform, they succeeded in checking movements which, in their attempts to remedy abuses, set up new theories of the Church and of its government. Ideas originated by Wyclif in England afforded a basis for a national movement in Bohemia, which in political as well as in ecclesiastical matters filled Europe with alarm. Bohemia, victorious but exhausted, was drawn to a compromise, and the flame was reduced to smouldering embers.

The pacification of Bohemia and the failure of the conciliar movement gave the opportunity for a Papal restoration, which was conducted with great ability by two remarkable Popes, Nicolas V. and Pius II. They succeeded in rooting out the remnants of opposition, in re-establishing the Papal monarchy, and in opening out new paths for its activity. As the patron of the New Learning, and the leader of Christendom against the Turks, the Papacy was influential and respected. But the condition of European affairs was not hopeful for any great enterprise. The death of Pius II. left the exact sphere of the future action of the Papacy still doubtful.

Such is the thread of connexion which runs through these volumes. The vastness of the undertaking is a bar to anything like completeness in its execution. I cannot claim to have done more than given a specimen of European history, even in its relations to my subject. Much that is interesting has been omitted, much that is dull has been told at length. My omissions and my details are intentional. I have enlarged on points, not because they are interesting to the modern observer, but because they formed part of the political experience of those who moulded the immediate future. I have dwelt at greatest length upon the relations of the Papacy with Germany and Italy. German affairs are important as showing the experience of the German reformers of the past dealings of the Papacy with the German Church and State. On the other hand, the intricacies of Italian politics explain the secularisation of the Papacy to which the reformers pointed as their justification.

The circumstances of my life have not allowed me to make much research for new authorities, which in so large a field would have been almost impossible. What I have found in MS. was not of much importance. Respecting the main points which I have treated, the amount of material available is very large. I am only sorry that the third volume of the 'Monumenta Conciliorum Generalium,' containing the end of John of Segovia's History of the Council of Basel, has not yet been published.

My work has been written under the difficulties which necessarily attend one who lives far from great libraries, and to whom study is the occupation of leisure hours, not the main object of life. I am conscious of many deficiencies, yet I thought it better to commit my volumes to the press rather than wait for opportunities which might never occur.

On the difficult question of the spelling of proper names I am afraid that I have not been so consistent as I hoped to be. I have tried to use the name by which I thought a man was called by his contemporaries; but I see, when it is too late, that I have occasionally called a man by different titles without explanation, and have sometimes wavered in my spelling. In the case of Cardinals especially, who went by many names amongst their contemporaries, it is difficult always to maintain consistency.

I have to thank many friends for their assistance. Professor Stubbs was an unfailing refuge in case of difficulties. Professor Mayor of Cambridge gave me valuable advice. Mr. Hodgkin's friendly sympathy has constantly cheered me. But my greatest debt of gratitude is due to Rev. M. H. G. Buckle, who has employed the learning of a long life in the laborious task of revising my sheets for the press.

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*July* 12, 1882.

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### ADDENDUM TO VOL. I.

On the eve of the publication of these volumes I have seen in the *Archivio Storico per Trieste, L'Istria ed il Trentino*, for May 1882, an *Oratio ad Romanos Cardinales de redintegranda uniendaque ecclesia, in consistorio habita a* 1406 *Novembri*, by PAOLO VERGERIO the elder. Vergerio was a papal secretary, and his speech, addressed to the Cardinals before the Conclave of Gregory XII., is a striking testimony to the effect which the discussions in France had produced even in the Curia of the Roman Pope upon an Italian churchman. The language addressed by a Curial to the Cardinals is in many points as direct as were the utterances of Wyclif and Hus. One or two extracts may suffice:—

'Primum cavete, patres conscripti, ne dum urbem custoditis orbem amittatis, et pro exiguo temporali dominio universa spiritualis obedientia depereat.' . . . 'Mihi quidem videtur, si nunc voluntate Dei, Petrus et Paulus resurgerent a mortuis, huc intra venientes Ecclesiam hanc non recognoscerent; opinor ne magis eam pro sua reciperent quam ipsi reciperentur a nobis. . . . Nam ipsi pauperes et pæne nudi, nostrum hunc splendorem exterioris cultus quum vident, non existimarent hos eos esse qui a se descendissent, et qui pedibus ambulare solerent, nunc tanto cum apparatu tanta cum pompa procedere, se pallidos jejuniisque maceratos, nos rubentibus baccis inflatos obesoque ventre videri'

---

*Errata in Vol. I.*

Page 40, last line in text, *for* 'impartial' *read* 'important'
,, 50, margin, *for* '1678' *read* '1378'
,, 57, line 6, *for* 'rank' *read* 'origin'
,, 57, note, *for* 'existis' *read* 'ex istis'
,, 136, line 12 from bottom, *for* 'Patriarch of Antioch' *read* 'Patriarch of Alexandria'
,, 247, in references in text, *for* '2' *read* '1,' *for* '3' *read* '2'
,, 327, note, *for* 'Palec' *read* 'Palecz'
,, 351, margin, *for* 'June 5' *read* 'June 15'

Pages 258, 280, 283, 285, 296. I have spoken indifferently of 'Frederick of Austria' and 'Frederick, Duke of Austria,' following Niem and the other authorities in Von der Hardt, who use the terms 'Fredericus Austriacus' and 'Fredericus Dux Austriæ.' I am afraid that this may be misleading to an English reader; Albert V. of Austria (afterwards Emperor Albert II.) ruled at Vienna, Frederick of Austria ruled the Tyrol and the Austrian domains in Suabia, Elsass, and the Breisgau

# INTRODUCTION.

## CHAPTER I.

### THE RISE OF THE PAPAL POWER.



Subject of this work.

THE change that passed over Europe in the sixteenth century was due to the development of new conceptions, political, intellectual, and religious, which found their expression in a period of bitter conflict. The state-system of Europe was remodelled, and the mediæval ideal of a united Christendom was replaced by a struggle of warring nationalities. The Papal monarchy over the Western Church was attacked and overthrown. The traditional basis of the ecclesiastical system was impugned, and in some countries rejected, in favour of the authority of Scripture. The study of classical antiquity engendered new forms of thought, and created an enquiring criticism which gave a new tendency to the mental activity of Europe.

The processes by which these results were achieved were not isolated, but influenced one another. However important each may be in itself, it cannot be profitably studied when considered apart from the reaction of the rest. The object of the following pages is to trace, within a limited sphere, the working of the causes which brought about the change from mediæval to modern times. The history of the Papacy affords the widest field for such an investigation; for the Papacy was a chief element in the political system, and was supreme over the ecclesiastical system of the Middle Ages, while round it gathered much that was most characteristic of the changing intellectual life of Europe.

The period which we propose to traverse may be defined as that of the decline of the Papal monarchy over Western Europe. The abasement of the Papacy by the Great Schism of the fourteenth century intensified Papal aggression and wrought havoc in the organisation of the Church. The schemes of reform which consequently agitated Christendom

INTROD. showed a widespread desire for change. Some of these movements were held to pass beyond reform to revolution, and were consequently suppressed, while the plans of the conservative reformers failed through national jealousies and want of statesmanship. On the failure of these attempts at organic reform the chief European kingdoms redressed the most crying grievances by separate legislation or by agreements with the Pope. A reaction, that was skilfully used, restored the Papacy to much of its old supremacy; but, instead of profiting by the lessons of its adversity, the Papacy only sought to minimise or abolish the concessions which had been wrung from it. Impelled by the growing feeling of nationality, it sought a firm basis for itself as a political power in Italy, whereby it regained prestige in Europe, and identified itself with the Italian mind at its most fertile epoch. But by its close identification with Italy, the Papacy, both in national and intellectual matters, drifted apart from Germany, and the result was a Teutonic and national rebellion against the Papal monarchy—a rebellion so far successful that it divided Europe into two opposing camps, and brought to light differences of national character, of political aim and intellectual ideas, which had grown up unnoticed till conflict forced them into conscious expression.

Important as this period may be, it deals only with one or two phases of the history of the Papacy. Before we trace the steps in the decline of the Papal monarchy, it will be useful to recall briefly the means by which it rose and the way in which it was interwoven with the state-system of Europe.

Growth of the organisation of the Church. A.D. 100–300.

The history of the early Church shows that even in Apostolic times the Christian congregations felt a need of organisation. Deacons were chosen by popular election to provide for the due ministration of Christian benevolence, and elders were appointed to be rulers and instructors of the congregation. As the Apostles passed away, the need of presidency over meetings of the representatives of congregations developed the order of bishops, and led to the formation of districts within which their authority was exercised. The political life which had been extinguished under the Roman Imperial system began to revive in the organisation of the Church, and the old feeling of civic government found in the regulation of ecclesiastical affairs a new field for its exercise. A line of separation was gradually

drawn between the clergy and the laity, and the settlement of controversies concerning the Christian faith gave ample scope for the activity of the clerical order. Frequent assemblies were held for the discussion of disputed points, and the pre-eminence of the bishops of the chief cities was gradually established over other bishops. The clergy claimed authority over the laity, the control of the bishop over the inferior clergy grew more definite, and the bishop in turn recognised the superiority of his metropolitan. In the third century the Christian Churches formed a powerful and active confederacy with an organised and graduated body of officials.

Foundation of Constantinople leaves Rome to its bishop. A.D. 330.

The State looked on this new power with suspicion, which at times passed into persecution. Persecution only strengthened the organisation of the Church, and brought into prominence the depth of its influence. As soon as it became clear that, in spite of persecution, Christianity had made good its claim to be ranked as a power amongst men, the Empire turned from persecution to patronage. Constantine aimed at restoring the Imperial power by removing its seat to a new capital, where it might rise above the traditions of its past. In the new Rome by the Bosphorus the old memories of freedom and of paganism were alike discarded. The gratitude of a Christian people to a Christian Emperor, and the servile ideas of the East, combined to form a new foundation for the Imperial power on a ground cleared from those restraints which the past history of the city of Rome seemed to impose on claims to irresponsible sway. The plan of Constantine so far succeeded as to erect a compact power in the East, which withstood for centuries the onslaughts of the barbarian invaders who swept over Western Europe. But, though Rome was left widowed of her Imperial splendour, the memories of empire still hung around her walls, and her barbarian conquerors bowed before the awe inspired by the glories of her mighty past. In the rise of the Papacy on the spot left desolate by the Empire, the mysterious power of the old city claimed the future as her own by breathing her stern spirit of aggression into the power of love and brotherhood which had begun to bind the world into a vaster system than even the Roman Empire had created.

Moreover, in the East the Imperial system had no intention

INTROD.

Controversies of the East referred to the Western Church.

of conferring on the new religion which it adopted a different position from that held by the old religion which it had laid aside. Christianity was still to be a State religion, and the Emperor was still to be supreme. The internal development of Oriental Christianity strengthened these Imperial claims. The subtilty of the Oriental mind busied itself with speculations as to the exact relationships involved in the doctrine of the Trinity, and the exact connexion between the two natures of Christ. A feverish passion for logical definition seized clergy and laity alike, and these abstruse questions were argued with unseemly heat. Patriarchs hurried into rash assertions, which calmer enquiry showed to be dangerous; and the patriarchates of the East lost respect among the orthodox because their holders had been at times associated with some shallow or over-hardy doctrine. As the struggles waxed fiercer in the East, men's eyes turned with greater reverence to the one patriarch of the West, the Bishop of Rome, who was but slightly troubled by the conflicts that rent asunder the Eastern Church. The practical tendency of the Latin mind was comparatively free from the temptations to over-speculation which beset the subtle Greek. The barbarian settlements in the West called out a missionary zeal which was concerned with enforcing the great moral principles of religion on the consciences of men rather than attempting to commend its details to their intelligence by acuteness of definition. The Western Church, which recognised the precedence of the Bishop of Rome, enjoyed the blessings of inward peace, and more and more frequently were questions referred from the troubled East to the decision of the Roman bishop.

Precedence given to Bishop of Rome. A.D. 347–451.

The precedence of the Bishop of Rome over other bishops was a natural growth of the conditions of the times. The need of organisation was forced upon the Church by internal discords and the hardships of stormy days: the traditions of organisation were a bequest from the Imperial system. It was

A.D. 347.

natural that the Council of Sardica should entrust Bishop Julius of Rome with the duty of receiving appeals from bishops who had been condemned by synods, and ordering, if he thought fit, a fresh trial. It was natural that the Council of

A.D. 451.

Chalcedon should accept the letter brought by the legates of

Leo the Great as an orthodox settlement of the weary contests about the union of the divine and human natures in the person of Christ. The prestige of the Imperial city, combined with the integrity, impartiality, and practical sagacity of its bishops, won for them a general recognition of precedence.

Decay of the Imperial power in Italy increases the power of the Pope. A.D. 476–590.

The fall of the shadowy Empire of the West, and the union of the Imperial power in the person of the ruler of Constantinople, brought a fresh accession of dignity and importance to the Bishop of Rome. The distant Emperor could exercise no real power over the West. The Ostrogothic kingdom in Italy scarcely lasted beyond the lifetime of its great founder Theodoric. The wars of Justinian only served to show how scanty were the benefits of the Imperial rule. The invasion of the Lombards united all dwellers in Italy in an endeavour to escape the lot of servitude and save their land from barbarism. In this crisis it was found that the Imperial system had crumbled away, and that the Church alone possessed a strong organisation. In the decay of the old municipal aristocracy the people of the towns gathered round their bishops, whose sacred character inspired some respect in the barbarians, and whose active charity lightened the calamities of their flocks.

Gregory I. makes the Papacy the chief power in Italy. A.D. 590–604.

In such a state of things Pope Gregory the Great raised the Papacy to a position of decisive eminence, and marked out the course of its future policy. The piety of emperors and nobles had conferred lands on the Roman Church, not only in Italy, but in Sicily, Corsica, Gaul, and even in Asia and Africa, until the Bishop of Rome had become the largest landholder in Italy. To defend his Italian lands against the incursions of the Lombards was a course suggested to Gregory by self-interest; to use the resources which came to him from abroad as a means of relieving the distress of the suffering people in Rome and Southern Italy was a natural prompting of his charity. In contrast to this, the distant Emperor was too feeble to send any effective help against the Lombards, while the fiscal oppression of his representatives added to the miseries of the starving people. The practical wisdom, administrative capacity, and Christian zeal of Gregory I. led the people of Rome and the neighbouring regions to look upon the Pope as their head in temporal as well as in spiritual matters.

INTROD. The Papacy became a national centre to the Italians, and the attitude of the Popes towards the Emperor showed a spirit of independence which rapidly passed into antagonism and revolt.

Extension of the Papal power by missionary zeal. A.D. 596–700.

Gregory I. was not daunted by the difficulties nor absorbed by the cares of his position at home. When he saw Christianity threatened in Italy by the heathen Lombards, he boldly pursued a system of religious colonisation. While dangers were rife at Rome, a band of Roman missionaries carried Christianity to the distant English, and in England first was founded a Church which owed its existence to the zeal of the Roman bishop. Success beyond all that he could have hoped for attended Gregory's pious enterprise. The English Church spread and flourished, a dutiful daughter of her mother-church of Rome. England sent forth missionaries in her turn, and before the preaching of Willibrod and Winifred heathenism died away in Friesland, Franconia, and Thuringia. Under the new name of Boniface, given him by Pope Gregory II., Winifred, as Archbishop of Mainz, organised a German Church, subject to the successor of S. Peter.

The Papacy frees itself from the Eastern Emperor. A.D. 726–731.

The course of events in the East also tended to increase the importance of the See of Rome. The Mohammedan conquests destroyed the Patriarchates of Antioch and Jerusalem, which alone could boast of an apostolical foundation. Constantinople alone remained as a rival to Rome; but under the shadow of the Imperial despotism it was impossible for the Patriarch of Constantinople to lay claim to spiritual independence. The settlement of Islam in its eastern provinces involved the Empire in a desperate struggle for its existence. Henceforth its object no longer was to reassert its supremacy over the West, but to hold its ground against watchful foes in the East. Italy could hope for no help from the Emperor, and the Pope saw that a breach with the Empire would give greater independence to his own position, and enable him to seek new allies elsewhere.

An opportunity was not long in offering itself. The great Emperor, Leo the Isaurian, in his endeavour to organise afresh the shattered mechanism of the Imperial system, saw the need of rescuing Oriental Christianity from an effeminate sentimentalism which sapped its strength. A spirit of ecstatic and

transient devotion before images had taken the place of a serious sense of the hard duties of practical life. By ordering the restriction of images to the purpose of architectural ornaments, Leo hoped to infuse into his degenerate people some of the severe puritanism which marked the followers of Mohammed. He hoped, moreover, by enforcing his decree to assert the power of the Emperor over the Church, and so to weld his authority into a more harmonious whole. In the East his edict met with serious opposition; in the West it was regarded as a needless and unauthorised interference of the Imperial power in the realms of Church government. Combining political and ecclesiastical animosity, Pope Gregory II. loudly protested against the execution in Italy of the Imperial decree. The Romans drove from the walls the Imperial governor, and the Pope was left undisputed head of the Imperial city of the West.

Alliance of the Papacy with the Frankish kingdom. A.D. 740–756.

In this abeyance of the Empire the Lombard King naturally aspired to seize the vacant dignity, and the only possible help for Italy was to be found in the Frankish kingdom, which, under the strong rule of the house of Pippin of Landen, had renewed its early vigour. In consolidating his power Pippin the Short saw the usefulness of ecclesiastical organisation as a means of binding to the Frankish monarchy the German tribes across the Rhine. Through the labours of Boniface, the apostle of the Germans, the Papacy reaped a rich return for Gregory I.'s gift of Christianity to the English by the formation of an alliance between the Pope and the ruler of the Franks. There were more ways than one in which these two vigorous powers could help each other. Pippin wished to set aside in name, as he had done in deed, the Merovingian line, which still held the titular sovereignty of the Franks. Relieved from their scruples by the supreme priestly authority of the Pope, the Franks elected Pippin, who had hitherto been Mayor of the Palace, as their king, and the bishops gave peculiar solemnity to this transfer of national allegiance by the ceremony of anointing the new sovereign with holy oil. Soon Stephen III. asked for help in his turn, and fled to Pippin before the triumphant advance against Rome of the Lombard King.

A.D. 751.

A.D. 754.

Pippin recognised his obligations to the Pope. In two campaigns he beat back the Lombard King and made him

INTROD. relinquish his conquests. Wishing, moreover, to give a signal token of his gratitude, he bestowed on the Pope the territory which the Lombards had won from the Emperor, the district reaching along the eastern coast from the mouth of the Po to Ancona. Thus the possessions of the Emperor passed into the hands of the Pope, and their acquisition gave definiteness to the temporal power which circumstances had gradually forced upon the Papacy. On the other hand, the Imperial suzerainty over Italy devolved on the Frankish king, and the vague title of Patrician of Rome, bestowed on Pippin by the Pope as representative of the Roman people, paved the way for the bestowal of the full Imperial title of the West upon Pippin's more famous son.

The Papacy and Charles the Great. A.D. 771–800.

Charles the Great, son of Pippin, extended still further the power and renown of the Frankish monarchy, till he won for himself a position which was in truth imperial over Western Europe. He crushed the last remains of the Lombard power in Italy, and extended over the Papacy his protecting arm.

A.D 799.

Leo III. fled across the Alps to beg for protection against his foes, who had attempted a murderous outrage upon him. Charles led back the Pope in triumph to the rebellious city,

Coronation of Charles as Emperor. A.D. 800.

where, on Christmas Day, 800, as he knelt in S. Peter's Church in the garb of a Roman Patrician, the Pope advanced and placed upon his head a golden crown, while the church rang with the shout of the assembled Romans, 'Long life and victory to Charles, Augustus, crowned by God, great and pacific Emperor!' In such strange fashion did the city of Rome assume once more its right of setting up an emperor, a right which, since the time of Romulus Augustulus, it had been content to leave to the new Rome in the East.

Everything tended to make this step both easy and natural. The Eastern Empire was in the hands of a woman, and was sunk for the time both in feebleness and moral decay. The Germans, on the contrary, were united for the first time into a strong power, and were ruled by a vigorous hand. No longer was there any antagonism between Germans and Latins: they had found the need in which each stood of the other and were joined in firm alliance. The coronation of Charles corresponded to the ambition of Latins and Germans alike. To the Latins it seemed to be the restoration to Rome and to Italy of their

former glory; to the Germans it was the realisation of the dream which had floated before the eyes of the earliest conquerors of their race. To Latins and Germans alike it was at once the recognition of their past achievements and the earnest of their future greatness. No one could have foreseen that the power which would reap the greatest benefit was that represented by him who, in his twofold capacity of chief magistrate of the city of Rome and chief priest of Christendom, placed the crown on the head of the kneeling Charles, and then fell prostrate before him in recognition of his high Imperial dignity.

Theory of the Holy Roman Empire.

The coronation of Charles may be explained on grounds of temporary expediency; but it also had its root in the ideal aspirations of men's hearts, an ideal which was partly a memory of the world-wide organisation of the old Roman Empire, and partly an expression of the yearning for universal brotherhood which Christianity had taught mankind. It put into definite form the belief in the unity of Christendom, which was the leading principle in mediæval politics till it was shattered by the movement which ended in the Reformation. It was natural to express this theory in the form of outward organisation, and to set up by the side of a Catholic Church, which was to care for the souls of all Christian people, a universal empire which was to rule their bodies. No disappointment was rude enough to show men that this theory was but a dream. They were not so much concerned with actual practice; it was enough for them that the theory was lofty and noble.

The Papacy under Charles and his successors. A.D. 800–858.

The establishment of this great symbol of a united Christendom could not but produce ultimately an accession to the Papal dignity, though under Charles himself the Pope held the position of a grateful subordinate. The Empire was the representation of God's kingdom on earth; the Emperor, not the Pope, was the vicegerent of the Most High; the Pope was his chief minister in ecclesiastical affairs, standing in the same relation towards him as did the high priest towards the divinely appointed king of the Jewish theocracy. But the strong hand of Charles was needed to keep his Empire together. Under his feeble successors local feeling again made head against the tendencies towards centralisation. The name of emperor became merely an ornamental title of him who, in the partition of the

INTROD. dominions of Charles, obtained the kingdom of Italy. Under the degenerate rulers of the line of Charles, it was impossible to look upon the Empire as the representation on earth of the kingdom of God.

Basis of the Papal monarchy in the Forged Decretals. *Circa* 850.

It was at this time that the Papacy was first put forward as the centre of the state-system of Europe. The Empire had fallen after having given an expression, as emphatic as it was brief, to the political ideas that lay deep in the minds of men. The unity embodied in the Empire of Charles had been broken up into separate states; but it still was possible to combine these states into a theocracy under the rule of the Pope. The theory of the Papal monarchy over the Church was not the result merely of grasping ambition and intrigue on the part of individual Popes; it corresponded rather to the deep-seated belief of Western Christendom. This desire to unite Christendom under the Pope gave meaning and significance to the Forged Decretals bearing the name of Isidore, which formed the legal basis of the Papal monarchy. This forgery did not come from Rome, but from the land of the Western Franks. It set forth a collection of pretended decrees of early councils and letters of early Popes which exalted the power of the bishops, and at the same time subjected them to the supervision of the Pope. The Pope was set forth as universal bishop of the Church whose confirmation was needed for the decrees of any council. The importance of the forgery lay in the fact that it represented the ideal of the future as a fact of the past, and displayed the Papal primacy as an original institution of the Church of Christ.

Pope Nicolas I. A.D. 858–867.

The Papacy did not originate this forgery; but it made haste to use it. Pope Nicolas I. claimed and exercised the powers of supreme ecclesiastical authority, and was happy in being able to exercise them in the cause of moral right. The Frankish Church was willing to allow the profligate king Lothar II. to put away his wife that he might marry his mistress. The Pope interfered, sent delegates to enquire into the matter, deposed the Archbishops of Cöln and Trier, and forced Lothar into an unwilling submission. In like manner he interposed in the affairs of the Eastern Church, withstood the Emperor, and sided with the deposed Patriarch of Con-

stantinople. On all sides he claimed for his office a decisive supremacy.

Anarchy in Empire and Papacy. A.D. 870–950.

Meanwhile the Empire fell still lower in prestige and power. The Papacy, allying with the feudal feeling of the great vassals who were striving to make the Frankish kingship elective, declared the Empire to be elective also. Charles the Bald in 875 received the Imperial title from the hands of John VIII. as a gift of the Pope, not as a hereditary dignity. If the decay of the Frankish monarchy had not involved the destruction of order throughout Europe, the Papacy might have won its way rapidly to supreme temporal as well as spiritual power. But the end of the ninth century was a time of wild confusion. Saracens, Normans, Slavs, plundered and conquered almost at will, and the Frankish kings and the Popes were equally powerless to maintain their position. The great vassals among the Franks destroyed the power of the monarchy. The fall of the Imperial power in Italy deprived the Popes of their protector, and left them helpless instruments in the hands of the Italian nobles, who were called their vassals. Yet, even from its degradation the Papacy had something to gain, as the claims put forth by Nicolas I. gained in validity by not being exercised. When Empire and Papacy at last revived, two centuries of disorder threw a halo of immemorial antiquity over the Forged Decretals and the bold assertions of Nicolas I.

Revival of the Empire. A.D. 950–1046.

From this common abasement the temporal power was the first to rise. The German peoples within the Empire of Charles the Great were at length united by the urgent necessity of protecting themselves against barbarous foes. They formed a strong elective monarchy, and shook themselves loose from their Romanised brethren, the Western Franks, amongst whom the power of the vassals was still to maintain disunion for centuries. The German kingdom was the inheritor of the ideas and policy of Charles the Great, and the restoration of the Imperial power was a natural and worthy object of the Saxon line of kings. The restoration of the Empire involved a restoration also of the Papacy. But this was not left solely to political considerations. A revival of Christian feeling found a centre in the great monastery of Clugny, and the monastic reformers, thoroughly imbued with the ideas of the Forged Decretals, aimed at uniting Christendom under the

INTROD. headship of the Pope. Their immediate objects were to bring back the clergy to purer and more spiritual lives, and to check the secularisation of the clerical office which the growing wealth of the Church and the lax discipline of stormy times had gradually wrought. Their cry was for the strict enforcement of the celibacy of the clergy and the suppression of simony. They felt, however, that reform must begin with the head, and that no one could restore the Papacy except the Emperor. Henry III. was hailed as a second David, when at the Synod of Sutri he superintended the deposition of three simoniacal or profligate Popes who were struggling for the chair of S. Peter. Then under a noble line of German popes the Papacy was again identified with the highest spiritual life of Christendom, and learned to borrow the strength of the Imperial system, under whose shadow it grew to power.

Revival of the Papacy under Hildebrand. A.D. 1046–1073.

This condition of tutelage to the Empire could not long continue. The German bishop might be filled with the deepest loyalty to the Emperor; but his ideas and aspirations became enlarged when he was raised to the lofty position of Head of the Church. So soon as the Papacy was re-established, it aimed at independence. The next aims of the reformers were to make Rome the centre of the new ideas, to secure for the Papacy a safe position in Rome itself, and to free it from its dependence on the Empire. Their leading spirit was an Italian monk, Hildebrand of Saona, who, both at Rome and Clugny, had studied the reforming policy, and then, with keen and sober appreciation of the task that lay before him, set himself to give it effect. Hildebrand combined the resoluteness that came from monkish discipline with the versatility and clear judgment that mark a statesman. He laboured patiently at the task of enforcing ideas which might provide a basis for the Papal power. His aim was to make clear the principles on which the Papal monarchy was to rest, and he trusted to the future to fill in the outline which he was careful to trace distinctly. He had the greatest mark of political genius—he knew how to wait till the full time had come. He maintained the German power in Rome till it had crushed the factious party among the Roman nobles. Then, by entrusting the Papal election to the Cardinal-bishops, priests and deacons, a step was taken which professed to check the turbulence of the

Roman people, but which also stopped Imperial interference. An alliance with the Norman settlers in South Italy won to the Papal cause soldiers who had a direct interest in opposing the Imperial claims. The Papacy slowly prepared to assert its independence of Imperial protection.

Pope Gregory VII. A.D. 1073–1085.

When at length the time was ripe, Hildebrand ascended the Papal throne as Gregory VII. Full of zeal and enthusiasm, he was desirous of carrying out the grandest schemes. He wished to summon an army from the whole of Christendom, which under his leadership should conquer Byzantium, unite the Eastern and Western Churches under one head, and then march triumphantly against the Saracens and expel them from the lands where they had usurped an unlawful sway A worthy domain was to be secured for the Papal monarchy by the restoration of the old limits of Christendom, and the glories of the brightest age of the Church were to be brought back once more. It was a splendid dream—fruitful, like all that Gregory did, for later times; but with a sigh Gregory renounced his dream for the harsh realities of his actual condition. Men were lukewarm; the Church at home was corrupt; kings and rulers were profligate, careless, and unworthy of a lofty aim. The reforming principles must sink deeper before Western Christendom was fitted for a noble mission. So Gregory VII. turned to enforce immediate reforms. The celibacy of the clergy had long floated before the eyes of Christians as an ideal; Gregory VII. called on the laity to make it a reality, and bade them abstain from the ministrations of a married priest, 'because his blessing was turned into a curse, his prayer into sin.' In the midst of the storm which this severity aroused, he went on to take rigorous measures against simony, and struck at the root of the evil by forbidding all investiture by laymen to any spiritual office. Gregory VII. put forward his ideas in their most pronounced and decided form: he claimed for the Church an entire independence from the temporal power. Nor was this all; as the struggle advanced he did not hesitate to declare that the independence of the Church was to be found solely in the assertion of its supremacy over the State. We read with wonder the claims which he put forward for the Papacy; but our wonder is changed into admiration when we consider how many of them were realised by his successors. Gregory VII.

INTROD. did not aim at securing the Papal monarchy over the Church; that had been established since the days of Nicolas I. He aimed at asserting the freedom of the Church from the worldly influences which benumbed it, by setting up the Papacy as a power strong enough to restrain Church and State alike. In ecclesiastical matters Gregory enunciated the infallibility of the Pope, his power of deposing bishops and restoring them at his own will, the necessity of his consent to give universal validity to synodal decrees, his supreme and irresponsible jurisdiction, the precedence of his legates over all bishops. In political matters he asserted that the name of Pope was incomparable with any other, that he alone could use the insignia of empire, that he could depose emperors, that all princes ought to kiss his feet, that he could release from their allegiance the subjects of wicked rulers. Such were the magnificent claims which Gregory VII. bequeathed to the mediæval Papacy, and pointed out the way towards their realisation.

Such views as these necessarily led to a struggle between the temporal and spiritual power. The conflict was first with the Empire, which was connected in the most vital way with the Papacy. Gregory VII. was happy in his adversary, the profligate and careless Henry IV. Strong as were the opponents whom the rigorous policy of Gregory raised up, the opponents of the misgovernment of Henry IV. were still stronger. The Saxons rose in revolt against a ruler of the house of Franconia; the enemies of the King combined with the Pope, and Henry IV.'s moral weakness, gave Gregory the opportunity of impressing by a striking dramatic act his view of the Papal power upon the imagination of Europe. Three days did the humbled monarch in the courtyard of the castle of Canossa sue for absolution from the triumphant Pope. Gregory as priest could not refuse absolution to a penitent, and by obtaining absolution Henry could overthrow the plans of his opponents; but Gregory, as a politician, resolved that the absolution so reluctantly extorted, which frustrated his designs for the present, should work for the future furtherance of his aims. The humiliation of Henry IV. was made a type to posterity of the relations between the temporal and spiritual power.

Gregory VII. boldly plunged the Papacy into an inter-

minable strife. He was not daunted by the horrors which followed, when Rome was plundered by the Normans whom he summoned to his aid. He died in exile from his capital, still confident in the justice of his aims, and left the fruits of his labours for others to reap.

The Crusades exalt the Papal monarchy.

The course of events in Europe carried away men's interests to a field where the Papacy came into prominence which there was none to dispute. The outburst of crusading zeal united Christendom for common action, in which the unity of the Church, which had before been a conception of the mind, became a reality, and Europe seemed one vast army under the leadership of the Pope. But, in the pious enthusiasm of Urban II. at Clermont, we miss the political wisdom of Gregory VII. Urban could animate but could not guide the zeal with which men's hearts were full; and, instead of the scheme of organised conquest which Gregory VII. had mapped out, he kindled a wild outburst of fanaticism which led only to disillusionment. Yet the movement corresponded too closely to men's desires for any failure to extinguish it. The old roving spirit of the Teutons was turned into a new channel by its alliance with revived zeal for the Church. The materialism of the Middle Ages long sought to find the spirit of Christ in local habitation of those fields which His feet had trodden. So long as the crusading movement lasted, the Papacy necessarily occupied the chief place in the politics of Europe.

A.D. 1095.

Legal basis of the Papal monarchy.

Other influences were also at work which tended to strengthen the building which Gregory VII. had raised. Gregory had gathered around him a school of canonists whose labours put into legal form the pretensions which he had advanced. The University of Bologna, which became the great centre of legal teaching throughout Western Europe, imbibed and extended the ideas of the Isidorian Decretals, and of the Hildebrandine Canonists. From Bologna issued in the middle of the twelfth century the Decretum of Gratian, which was accepted throughout the Middle Ages as the recognised code of canon law. It embodied all the forgeries which had been made in the interests of the Papacy, and carried to its logical consequences the Hildebrandine system. Moreover, the University of Paris, the centre of mediæval theology, developed a system of theology and philosophy which gave full recognition to the

INTROD. Papal claims. In law and philosophy alike men's minds were led up to the acknowledgment of the Papal supremacy as the necessary foundation both of Christian society and thought.

Struggle of Papacy and Empire. A.D. 1085–1198.

The struggle about investiture ended, as was to be expected, in a compromise; but it was a compromise in which all the glory went to the Papacy. Men saw that the Papal claims had been excessive, even impossible; but the object at which they aimed, the freedom of the Church from the secularising tendencies of feudalism, was in the main obtained. The conflict aroused by Gregory VII. deepened in men's minds the sense of spiritual freedom, and if it did not set up the Church as independent of the State, at least it saved it from sinking into a passive instrument of royal or aristocratic oppression. But the contest with the Empire still went on. One of the firmest supporters of Gregory VII. had been Matilda, Countess of Tuscany, over whose fervent piety Gregory had thrown the spell of his powerful mind. At her death, she bequeathed her possessions, which embraced nearly a quarter of Italy, to the Holy See. Some of the lands which she had held were allodial, some were fiefs of the Empire; and the inheritance of Matilda was a fruitful source of contention to two powers already jealous of one another. The constant struggle that lasted for two centuries gave full scope for the development of the Italian towns. Courted first by one side, and then by the other, they learned how to wring privileges from the Emperor in return for the help they gave him; and when the Imperial pretensions became irksome, they sided with the Pope against their common foe. The old Italian notion of establishing municipal freedom by an equilibrium of two contending powers was stamped still more deeply on Italian politics by the wars of Guelfs and Ghibellins.

A.D. 1073–1254.

Alexander III. and Frederic Barbarossa. A.D. 1159–1177.

The union between the Papacy and the Lombard Republics was strong enough to humble the mightiest of the Emperors. Frederic Barbarossa, who held the strongest views of the Imperial prerogative, had to confess himself vanquished by Pope Alexander III., and the meeting of Pope and Emperor at Venice was a memorable ending to the long struggle; that the great Emperor should kiss the feet of the Pope whom he had so long refused to acknowledge, was an act which stamped itself with dramatic effect on the imagination of men, and gave rise to fables of a

still more lowly submission. The length of the strife, the renown of Frederic, the unswerving tenacity of purpose with which Alexander had maintained his cause, all lent lustre to this triumph of the Papacy. The consistent policy of Alexander III., even in adverse circumstances, the calm dignity with which he asserted the Papal claims, and the wisdom with which he used his opportunities, made him a worthy successor of Gregory VII. at a great crisis in the fortunes of the Papacy.

Pope Innocent III. A.D. 1198–1216.

It was reserved, however, for Innocent III. to realise most fully the ideas of Hildebrand. If Hildebrand was the Julius, Innocent was the Augustus, of the Papal Empire. He had not the creative genius nor the fiery energy of his great forerunner; but his clear intellect never missed an opportunity, and his calculating spirit rarely erred from its mark. A man of severe and lofty character, which inspired universal respect, he possessed all the qualities of an astute political intriguer. He was lucky in his opportunities, as he had no formidable antagonist; among the rulers of Europe his was the master mind. In every land he made the Papal power decisively felt. In Germany, France, and England, he dictated the conduct of the Kings. His very success, however, was fraught with danger for the future. In England, the Pope might treat the kingdom as a fief of the Holy See; but when he attempted to use the Papal power in his vassal's aid against the old liberties of the land, he awakened a distrust of the Papacy which quickly grew in English hearts. On all sides Innocent III. enjoyed successes beyond his hopes. In the East, the crusading zeal of Europe was turned by Venice to the conquest of Constantinople, and Innocent could rejoice for a brief space in the subjection of the Eastern Church. In the West, Innocent turned the crusading impulse to the interest of the Papal power, by diverting it against heretical sects which, in Northern Italy and the South of France, attacked the system of the Church. These sectaries consisted of men opposed partly to the rigidity of sacerdotalism, partly to the intellectual narrowness of the Church doctrine, partly to the immoral and unspiritual lives of the clergy; others again had absorbed Manichæan heresies and vague Oriental mysticism; while others used these sects as a cover for antinomian views, for religious heedlessness, and profligacy of life. Looked at from the point of view of our own

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day, they seem a strange mixture of good and evil; but from the point of view of the Middle Ages they were a spectacle which could only be regarded with horror. They destroyed the unity of religious belief and practice; and without the visible unity of the Church, Christianity became in men's eyes a mockery. It was in vain to hope for God's blessing on their arms against the infidels in the Holy Land, if they allowed unbelievers within the pale of Christendom to rend asunder Christ's seamless coat. Innocent III. did not speak in vain when he proclaimed a crusade against the Count of Toulouse, whose dominions afforded the chief shelter to these heretics. Political jealousy and a desire for booty strengthened religious fanaticism; the storm of war swept over the smiling fields of Languedoc, and the taint of heresy was washed away in blood. From this time forward the duty of seeking out heretics and bringing them to punishment became a prominent part of the episcopal office.

Rise of the Preaching and Mendicant Friars.

Moreover Innocent saw the beginning, though he did not perceive the full importance, of a movement which the reaction against heresy produced within the Church. The Crusades had quickened men's activity, and the heretical sects had aimed at kindling greater fervour of spiritual life. The old ideal of Christian duty, which had grown up among the miseries of the downfall of the Roman world, gave way to an impulse towards more active zeal. By the side of the monastic aim of averting, by the prayers and penitence of a few, God's anger from a wicked world, there grew up a desire for self-devotion to missionary labour. Innocent III. was wise enough not to repulse this new enthusiasm, but find a place for it within the ecclesiastical system. Francis of Assisi gathered round him a body of followers who bound themselves to a literal following of the Apostles, to a life of poverty and labour, amongst the poor and outcast; Dominic of Castile formed a society which aimed at the suppression of heresy by assiduous teaching of the truth. The Franciscan and Dominican orders grew almost at once into power and importance, and their foundation marks a great reformation within the Church. The reformation movement of the eleventh century, under the skilful guidance of Hildebrand, laid the foundations of the Papal monarchy in the belief of Europe. The reformation of the thirteenth century found full

scope for its energy under the protection of the Papal power; for the Papacy was still in sympathy with the conscience of Europe, which it could quicken and direct. These mendicant orders were directly connected with the Papacy, and were free from all episcopal control. Their zeal awakened popular enthusiasm; they rapidly increased in number and spread into every land. The Friars became the popular preachers and confessors, and threatened to supersede the old ecclesiastical order. Not only amongst the common people, but in the universities as well, did their influence become supreme. They were a vast army devoted to the service of the Pope, and overran Europe in his name. They preached Papal indulgences, they stirred up men to crusades in behalf of the Papacy, they gathered money for the Papal use. Nowhere could the Pope have found more effective servants.

Innocent III. did not realise the full importance of these new helpers; and even without them he raised the Papacy to its highest level of power and respect. The change which he wrought in the attitude of the Papacy may be judged from the fact that, whereas his predecessors had contented themselves with the title of Vicar of Peter, Innocent assumed the name of Vicar of Christ. Europe was to form a great theocracy under the direction of the Pope.

Growth of the States of the Church.

If Innocent III. thus realised the Hildebrandine ideal of the Papacy, he at the same time opened up a dangerous field for its immediate activity. Innocent III. may be called the founder of the States of the Church. The lands with which Pippin and Charles had invested the Popes were held subject to the suzerainty of the Frankish sovereign and owned his jurisdiction. On the downfall of the Carolingian Empire the neighbouring nobles, calling themselves Papal vassals, seized on these lands; and when they were ousted in the Pope's name by the Normans, the Pope did not gain by the change of neighbours. Innocent III. was the first Pope who claimed and exercised the rights of an Italian prince. He exacted from the Imperial Prefect in Rome the oath of allegiance to himself; he drove the Imperial vassals from the Matildan domain, and compelled Constance, the widowed queen of Sicily, to recognise the Papal suzerainty over her ancestral kingdom. He obtained from the Emperor Otto IV. (1201) the cession of all the lands

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which the Papacy claimed, and so established for the first time an undisputed title to the Papal States. Innocent was an Italian as well as a Churchman. As a Churchman he wished to bring all the kings and princes of Europe into submission to the Papal power; as an Italian he aimed at freeing Italy from foreign rulers, and uniting it into one State under the Papal sway.

In this new sphere which Innocent opened up lay the great danger of Innocent's successors. The Papal monarchy over the Church had won its way to universal recognition, and the claim of the Papacy to interfere in the internal affairs of European States had been established. It was natural for the Papacy at the height of its power to strive after a firm territorial basis on which to rest secure; what had been gained by moral superiority must be kept by political force. However distant nations might tremble before the Papal decrees, it often happened that the Pope himself was exiled from his capital by the turbulent rabble of the city, or was fleeing before foes whom his Imperial antagonist could raise against him at his very gates. The Papacy was only obeying a natural instinct of self-preservation in aiming at a temporal sovereignty which would secure it against temporal mishaps.

Effects of the Italian policy of the Papacy.

Yet the whole significance of the Papacy was altered when this desire to secure a temporal sovereignty in Italy became a leading feature of the Papal policy. The Papacy still held the same position in the eyes of men, and its existence was still held necessary to maintain the fabric of Christendom; but a Pope straining every nerve to defend his Italian possessions did not appeal to men's sympathies. So long as the Papacy had been fighting for ecclesiastical privileges, or for the establishment of its own dignity and importance, it had been fighting for an idea which in the days of feudal oppression awakened as much enthusiasm as does a struggle for freedom in our own day. When the Papacy entered into a war to extend its own possessions, it might win glorious victories, but they were won at a ruinous cost.

Struggle of the Papacy against Frederic II. A.D. 1227–1250.

The Emperor Frederic II., who had been brought up under Innocent's guardianship, proved the greatest enemy of the newly-won sovereignty of the Pope. King of Sicily and Naples, Frederic was resolved to assert again the Imperial

pretensions over North Italy, and then win back the Papal acquisitions in the centre; if his plan had succeeded, the Pope would have lost his independence and sunk to be the instrument of the house of Hohenstaufen. Two Popes of inflexible determination and consummate political ability were the opponents of Frederic. Gregory IX. and Innocent IV. flung themselves with ardour into the struggle, and strained every nerve till the whole Papal policy was absorbed by the necessities of this strife. Europe groaned under the exactions of Papal taxgatherers, who, under the old pretence of a crusade, wrung money from the ecclesiastics of every land. The great interests of Christendom were forgotten in the struggle for self-preservation, and the temporal and spiritual power changed places in Europe. Instead of the Pope, the pious King of France, Louis IX., led the last crusading expeditions against the infidels, and in his saintly deeds, rather than in the byways of Papal policy, men found the highest Christian ideal of their age. The Papacy baffled the plans of Frederic II., but Europe had to pay the costs of a struggle with which it felt no sympathy, and the moral prestige of the triumphant Papacy was irrevocably lowered.

Angevin influence in Italy. A.D. 1261–1292.

Frederic II. died, but the Popes pursued with their hostility his remotest descendants, and were resolved to sweep the very remembrance of him out of Italy. To accomplish their purpose, they did not hesitate to summon the aid of the stranger. Charles of Anjou appeared as their champion, and in the Pope's name took possession of the Sicilian kingdom. By his help the last remnants of the Hohenstaufen house were crushed, and the claims of the Empire to rule over Italy were destroyed for ever. But the Papacy got rid of an open enemy only to introduce a covert and more deadly foe. The Angevin influence became superior to that of the Papacy, and French popes were elected that they might carry out the wishes of the Sicilian king. By its resolute efforts to escape from the power of the Empire, the Papacy only paved the way for a connexion that ended in its enslavement to the influence of France.

Loss of moral prestige to the Papacy.

Immersed in narrow schemes of self-interest, the Popes lost their real strength in the respect and sympathies of Europe. Instead of being the upholders of ecclesiastical independence, they became the oppressors of the clergy and the infringers of

INTROD. ecclesiastical rights. Hence in France Louis IX., by his Pragmatic Sanction, asserted against Papal aggression the liberties of the Gallican Church—freedom of patrons from Papal interference, freedom of election to chapters, and a prohibition of Papal taxation except with the consent of the Church and the Crown. Instead of being the upholders of civil liberty, the Popes ranked with the princes of Europe and had no sympathy with the cause of the people. In England during the Barons' War the Papacy was on the side of its pliant ally, Henry III., and steadily opposed all efforts to check his feeble misgovernment. The great English Churchmen, on the other hand, sided with the Barons, and the English Church was the strongest element in the struggle against royal oppression. Similarly, in Italy, the Popes deserted the party which in each city was striving to maintain municipal freedom against foreign aggressors, or too powerful nobles at home. When the Empire had been reduced to feebleness, the Popes had no more need of their republican allies, but were intolerant of civic liberties. Hence they were so short-sighted as to permit the suppression of republican constitutions by powerful lords, and to allow dynasties to establish, within the Papal States, a sway which proved to be the greatest hindrance to the assertion of the Papal sovereignty.

Pope Celestine V. A.D. 1294. In this career of purely political enterprise the Papacy again became associated with the factions of contending families in Rome, till in 1292 the assembled Cardinals were so equally divided between the parties, that they found it impossible to elect. At last, in utter weariness, they chose a holy hermit of the Abruzzi, Piero da Morrone, whose fame for piety was in the mouths of men. The Pontificate of Celestine V., for such was the name Morrone assumed, might seem to be a caricature on the existing state of the Papacy. A man had been elected Pope by a sudden impulse solely for his holiness: no sooner was he elected than the Cardinals felt that holiness was not the quality most requisite for the high office of Head of the Church. Never did election awaken more enthusiasm among the people, yet never was Pope more powerless for good. Ignorant of politics, of business, of the ways of the world, Celestine V. became a helpless instrument in the hands of the King of Naples. He gave up the government of the Church

to others, and bestowed his favours with reckless prodigality. The crowd thronged around him whenever he went abroad to crave his blessing; a new order, the Celestinians, was founded by those who were eager to model their life on his; but the Cardinals groaned in secret dismay over the perils with which his incompetence threatened the Papacy. After a pontificate of five months he abdicated, to the joy of the Cardinals, and to the grief of the people, which showed itself in hatred for his successor. Henceforth it was clear that the Papacy had become a great political institution: its spiritual significance had been merged in its worldly importance. It needed a statesman to baffle princes by his astuteness, not a saint to kindle by his holiness spiritual aspirations among the masses.

Boniface VIII. A.D. 1294–1303.

Celestine's successor, Boniface VIII., attempted, when it was too late, to launch the Papacy upon a new career. Though endowed with all the fire of Gregory VII., and with the keen political instincts of Innocent IV., he failed to understand either the disastrous results to the Papacy of the policy of his predecessors, or the hidden strength of the opposition which it had kindled. The Papacy had destroyed the Empire, but in its victory had fallen with its foe. In overthrowing the Empire it had weakened the outward expression of the idea on which its own power was founded, and had first used, and then betrayed, the growing feeling of nationality, which was the rising enemy of the mediæval system. When Boniface VIII. aimed at absorbing into the Papacy the Imperial power, when he strove to weld together Europe into a great confederacy, over which the Pope was to preside, at once the head of its religion and the administrator of a system of international law, he only brought to light the gulf which had been slowly widening between the aims of the Papacy and the aspirations of Europe. His weapons were the weapons of this world, and though his utterances might assume the cover of religious phrases, his arts were those of an adventurous politician. First he resolved to secure himself in Rome, which he did by the remorseless overthrow of the Colonna family. In the rest of Italy he aimed at bringing about order by crushing the Ghibellins and putting the Guelfs in power. He called in French help to restore the unity of the Sicilian kingdom, which had been

INTROD. broken by the rebellion of 1282, and Charles of Valois overthrew the Ghibellins in Florence, and drove Dante into exile; but, beyond drawing on himself and the Pope the hatred of the Italian people, he accomplished nothing.

While these were his measures in Italy, Boniface VIII. advanced with no less boldness and decision elsewhere. He demanded that the Kings of England and France should submit their differences to his arbitration. When they refused, he tried to make war impossible without his consent by cutting off one great source of supplies, and issued a bull, forbidding the taxation of the clergy, except by the consent of the Pope. But in England Boniface was repelled by the vigorous measures of Edward I., who taught the clergy that, if they would not contribute to the maintenance of civil government, they should not have the advantages of its protection. In France, Philip IV. retaliated by forbidding the export of gold or silver from his realm without the royal consent. Boniface was thus cut off from the supplies which the Papacy raised for itself by taxation of the clergy. Even while professing to fight the battle of clerical privilege, Boniface could not carry with him the staunch support of the clergy themselves. They had experienced the fiscal oppression of Pope and King equally, and found that the Pope was the more intolerable of the two. If they had to submit to the tender mercies of one or the other, the King was at least more amenable to reason. For a time Boniface had to give way; but circumstances soon seemed to favour him. A quarrel arose between Edward I. and Philip IV., from which both wished to withdraw with credit. Boniface, not in his Papal, but in his individual capacity, was appointed arbitrator. In giving his award he assumed the character of a Pope, and pronounced the penalty of excommunication against those who infringed its conditions. Moreover, he took up the position of an absolute superior in the affairs of the German kingdom, where he disallowed the election of Albert of Austria. In England he claimed to interfere in the settlement of Edward's relations towards Scotland. Edward submitted the Pope's letter to Parliament, which replied to Boniface that the English kings had never answered, nor ought to answer, about their rights to any judge, ecclesiastical or civil. The spirit of national resistance to the claims of the Papacy to exercise supremacy in

Bull of 'Clericis laicos.' A.D. 1296.

temporal matters was first developed under the wise government and patriotic care of Edward I.

Jubilee of 1300.

Yet Boniface could not read the signs of the times. He was misled by the outburst of popular enthusiasm and religious zeal which followed the establishment of a year of jubilee in 1300. The crusading age was past and gone; but the spirit that animated the Crusades still survived in Europe. The restless desire to visit a holy place and see with their bodily eyes some guarantee of the reality of their devotion, drove crowds of pilgrims to Rome to earn by prayers and offerings the promised absolution for their sins. Others since the days of Boniface have been misled as to the real strength of a system, by taking as their measure the outbursts of feverish enthusiasm which it could at times call forth. Men trampled one another to death in their eagerness to reach the tombs of the Apostles; yet in three short years the Vicar of S. Peter found no one to rescue him from insult and outrage.

Strife of Boniface VIII. and Philip IV. of France. A.D. 1301–1303.

The breach between Boniface VIII. and Philip IV. went on widening. As the Pope grew more resolute in asserting his pretensions, the King gathered the French clergy and people more closely around him. The growth of legal studies had raised up a class of lawyers who could meet the Pope on his own ground. As he fortified himself by the principles of the canon law, the French legists rested on the principles of the old civil law of Rome. The canon law, in setting up the Pope as supreme over the Church, had but followed the example of the civil law, which traced its own origin to the Imperial pleasure. The two systems now met in collision, and their fundamental identity rendered compromise impossible. Angry bulls and letters followed one another. The Pope furbished up all the weapons in his armoury. On doctrinal grounds he asserted that, 'as God made two lights, the greater light to rule the day, and the lesser light to rule the night,' so He set up two jurisdictions, the temporal and the spiritual, of which the spiritual is greater, and involves the temporal in point of right, though not necessarily in point of use. On historical grounds he asserted: 'Our predecessors have deposed three Kings of France, and if any King did the wrong which they did, we would depose him like a servant.' Against this was set up the intelligible principle, that in things temporal the King held his

INTROD. power subject to God alone. Both sides prepared for extremities. Philip's lawyers accused the Pope of heresy, of crime, of simony, and appealed to a General Council of the Church. Boniface excommunicated Philip, and prepared to pronounce against him the sentence of dethronement, releasing his subjects from their allegiance. But Philip's plans were cunningly laid, and he had Italian craft to help him. The day before the bull of deposition was to have been published, Boniface was made prisoner by a band of Philip's adherents. The exiled Italian, Sciarra Colonna, planned the attack, and the acuteness of the Tolosan, Guillaume de Nogaret, one of Philip's lawyers, helped to make its success complete. As he sat, unsuspecting of evil, in the retirement of his native Anagni, Boniface was suddenly surprised and maltreated, without a blow being struck in his behalf. It is true that on the third day of his captivity he was rescued; but his prestige was gone. Frenzied, or heart-broken, we know not which, he died a month after his release.

Fall of the mediæval Papacy.

With Boniface VIII. fell the mediæval Papacy. He had striven to develop the idea of the Papal monarchy into a definite system. He had claimed for it the noble position of arbiter amongst the nations of Europe. Had he succeeded, the power which, according to the mediæval theory of Christendom, was vested in the Empire, would have passed over to the Papacy no longer as a theoretical right, but as an actual possession; and the Papacy would have asserted its supremacy over the rising state-system of Europe. His failure showed that with the destruction of the Empire the Papacy had fallen likewise. Both continued to exist in name, and set forth their old pretensions; but the Empire, in its old aspect of head of Christendom, had become a name of the past or a dream of the future since the failure of Frederic II. The failure of Boniface VIII. showed that the same fate had overtaken the Papacy likewise. The suddenness and abruptness of the calamity which befell Boniface impressed this indelibly on the minds of men. The Papacy had first shown its power by a great dramatic act; its decline was manifested in the same way. The drama of Anagni is to be set against the drama of Canossa.

## CHAPTER II.

### THE POPES AT AVIGNON.



Opposition to the Papacy in the fourteenth century.

We speak loosely of the Reformation as though it were a definite event; we ought rather to regard the fall of the Papal autocracy as the result of a number of political causes which had slowly gathered strength. The victory of the Papacy over Frederic II. marked the highest point of its power: the beginning of the fourteenth century saw the rise of new ideas which gradually led to its fall. The struggle of Philip IV. against Boniface VIII. was carried on by new weapons—by appeals to political principles. The rights of the State were asserted against the claims of the Papal monarchy, and the assertion was made good. The Papacy had advanced to power partly by religious, partly by political means; and the Papal claims rested on principles which were drawn partly from texts of Scripture, partly from historical events in the past. To overthrow the Papal monarchy both of these bases had to be upset. The ideas of the Middle Ages had to make way for the ideas of the Renaissance before it was possible for men to grasp the meaning of Scripture as a whole, and found their political as well as their social life upon a wide conception of its spirit. But this was the second part of the process, for which the first part was necessary. Before men advanced to the criticism of Scripture they undertook the criticism of history. Against the Papal view of the political facts and principles of the past, the men of the fourteenth century advanced new principles and interpreted the facts afresh.

Political ideas of S. Thomas of Aquino.

The mediæval conception of the Papal power was set forth by Thomas of Aquino. His ideal of government was a constitutional monarchy, strong enough to keep order, not strong enough to become tyrannical. The object of Christian society is to lead men to eternal salvation, and this work is done by

INTROD. the priests under the rule of the Pope. Under the Old Testament dispensation priests had been subject to kings; under the New Testament dispensation kings are subject to priests in matters pertaining to Christ's law. The king must see that such things as are necessary for the salvation of his people are cared for, and that things contrary thereto are forbidden. If a king is heretical or schismatic, the Church must deprive him of his power, and by excommunicating him release his subjects from their allegiance. The Church which is thus to lead the State must be ruled by a monarchy strong enough to preserve the unity of the faith, and decide in matters that arise what is to be believed and what condemned (nova editio symboli). In the Pope is vested the authority of the universal Church, and he cannot err; according to Christ's words to Peter, 'I have prayed for thee that thy faith fail not.'

Dante's 'De Monarchia.'

Against such ideas the struggle of Boniface VIII. and Philip IV. produced a reaction, which may be seen in the 'De Monarchia' of Dante, who in behalf of the Empire asserted the claims of the temporal against the spiritual power. Dante's Empire was the ideal creation of unity, peace, and order, which floated before the mediæval mind. The empire, he argues, is necessary for the good of mankind, since the end of society is unity, and unity is only possible through obedience to one head. This empire belongs of right to the Roman people who won it, and what they won Christ sanctioned by being born into it; further He recognised its legitimacy by receiving at the hands of a Roman judge the sentence by which He bore our sorrows. The assertions of those who maintain that the empire does not come immediately from God, but mediately through the Pope, are not to be received; they are founded on the Decretals and other traditions which came after the Church, and could not therefore confer on the Church any rights which it did not previously possess. The foundation of the Church is Christ; the Empire existed before the Church, which received from Christ no authority over the Empire, and therefore possesses none; 'yet,' he ends, 'let Cæsar be reverent to Peter, as the

[1] See especially S. Thomas Aquinas, *De regimine principum*, of which the first two books were by S. Thomas himself, the last two by a scholar, probably Ptolemæus of Lucca. See also Baumann, *Die Staatslehre des heil. Thomas von Aquino*. Leipzig, 1873.

first-born son should be reverent to his father.' Dante's arguments are scholastic and obscure, resting frequently on merely verbal grounds; but the importance of the 'De Monarchia' lies in the fact that, against the Decretals and against the current interpretation of Scripture, it founds a political system on the basis of reason and of historical fact. The form of the book is mediæval, but a modern spirit of political dignity breathes through its pages.[1]

Egidio Colonna and John of Paris.

Dante's 'De Monarchia' is but a specimen of the writings which the conflict of Boniface VIII. and Philip IV. called forth. Ægidius Colonna, who became Archbishop of Bourges, and John of Paris, a Dominican monk, asserted the independent existence of the temporal and the spiritual power, since both alike came from God, and each has its own sphere of action; in many points the priesthood must be subject to the monarchy, and in no way could it be shown that the Papacy had any jurisdiction over the realm of France. John of Paris went further and argued that, as Christ exercised no dominion in temporal matters, no priest could, on the ground of being Christ's vicar, exercise a power which his Master never claimed.[2] In these and such like arguments there is an attempt to reach the facts of primitive Christianity, and use them as a means of criticising the Papal claims to universal monarchy.

Removal of the Papacy to Avignon. A.D. 1305.

These attacks upon the Papal position were not the only mischief which the assertion of Boniface VIII. brought upon the Papacy. The Papacy had destroyed the Empire, but failed in its attempt to establish itself in the place of the Empire as the undoubted head over the rising nationalities of Europe. It was worsted by France, and as a consequence fell under French influence. When Philip IV. pursued his victory and devised the scheme of getting the Papal power into the hands of a nominee of his own, he met with little difficulty. Clement V., an Aquitanian by birth, shrank before the troubles which Philip IV. easily contrived to stir up in Italy, and for greater safety took up his abode at Avignon—a city held by Charles II.

[1] See *De Monarchia*, ed. Witte, 1874.

[2] These writings are in Goldast, *Monarchia S. Romani Imperii*, vol. iii.:—'Egidius de Roma, Quæstio disputata in utramque partem, pro et contra Pontificiam potestatem,' p. 95; 'F. Johannis de Parisiis, Tractatus de Potestate Regia et Papali,' p. 108.

INTROD. of Naples as Count of Provence. It was, however, so near the boundaries of the French King as to be practically under his influence, and it marked a mighty breach with the tradition of the past when the seat of the Papacy was removed from the world-city of its ancient glories.

Clement V. A.D. 1305–1313.

It is at first a cause of some surprise that the Papacy did not suffer more than it did from the transference of its seat to Avignon. But, though deprived of political strength, it still had the prestige of past importance, and could exercise considerable influence when opportunity offered. Clement V. was powerless against Philip IV.; he had to consent to recognise the validity of everything that Philip IV. had done against his predecessor; he had to revoke the obnoxious bulls of Boniface VIII., and even to authorise an enquiry into his life and character; he had to lend himself as a tool to the royal avarice in suppressing the order of the Knights Templars. But, in spite of their disasters, the Papacy and the Empire were still the centres of European politics. No one ventured to think it possible to diminish their claims to greatness; it was rather a struggle which nation should succeed in using them for its own purposes. France had secured a strong hold upon the Papacy, and wished to become master also of the Empire. Philip IV. strove to procure the election of his brother, Charles of Valois, and so gave the Pope a new means of asserting his importance. Charles was not elected, and the King found it wise not to press the Pope too far. At Avignon, the Pope was subject to the influence of the French King; but he was at least personally secure, and could afford to adopt a haughty tone in dealing with other powers. There was no abatement in the lofty language of the Papacy; and when Clement V. died, he might have boasted that he handed down the Papal power undiminished to his successors. His position might be ignoble, but he acted with policy and prudence in difficult and dangerous circumstances, and made up for his humility towards the King of France by the arrogance of his attitude towards the Empire. The success of Henry VII. in Italy alarmed King Robert of Naples, and Clement V. warmly espoused the cause of his vassal, in whose dominions lay the protecting city of

A.D. 1313. Avignon. The death of Henry VII. prevented the quarrel from becoming serious; but on Henry's death Clement V. pub-

lished a bull declaring that the oath taken by the Kings of the Romans to the Pope was an oath of vassalage, and involved the Papal suzerainty over the Empire. At the same time, during the vacancy of the Empire, the Pope, acting as over-lord, did away with the Ban of the Empire which Henry VII. had pronounced against Robert of Naples, and also appointed Robert as Imperial Vicar in Italy. Clement V. followed the example of his predecessors in endeavouring to turn into a legal claim the vague talk of former Popes. His death, within a month of the publication of his Bull, left the struggle to his successor.

John XXII. and the Empire. A.D. 1313–1322.

John XXII. entered readily into the struggle, and the disputed election to the Empire, between Lewis of Bavaria and Frederick of Austria, gave him a lucky opportunity of asserting these new claims of the Papacy over the Empire. As an obsequious dependent of the Kings of France and Naples, the Pope was encouraged to put forward against the Empire claims much more arrogant than those which Boniface VIII. had ventured to make to Philip IV. The French King hoped to lay hands upon the Empire; the King of Naples wished to pursue his plans in Italy without fear of Imperial intervention. So long as the Pope furthered their purposes, he might advance any arguments or pretensions that he pleased. It was this selfish policy on the part of the princes of Europe that maintained so long the Papal power, and gave the Papacy the means of rising after many falls and degradations. The Papal power and the Papal claims were inextricably interwoven in the state-system of Europe, and the Papacy was a political instrument which any monarch who could command was anxious to uphold.

John XXII. claimed to be the rightful ruler of the Empire during the vacancy, and so long as the contest between Lewis and Frederick occupied all the energies of the rival claimants, there was no one to gainsay the Pope. When the battle of Mühldorf in 1322 gave the victory to Lewis, John resented his assumption of the title of King of the Romans without Papal confirmation, and soon proceeded to his excommunication. In the contest that ensued there was nothing heroic. Papacy and Empire alike seemed the shadows of their former selves. John XXII. was an austere and narrow-minded pedant, with no political insight; Lewis was destitute of any intellectual greatness, and knew not how to control the forces which he had at

INTROD. his command. The attack of the Pope upon the Empire was a desperate attempt to gain consideration for the Papacy at the expense of a foe who was supposed to be too weak to make any formidable resistance. But the national feeling of the German people gathered round their King, when it became manifest that the onslaught upon him was made in the interest of France. The lawyers, as before, mustered in defence of the civil power; and unexpected allies came to its succour, whose help made the contest memorable in the history of the progress of human thought.

John XXII. and the Mendicant Friars.

Since the abdication of Celestine V. the Papacy had drifted further away from its connexion with the spiritual side of the life of the Church. The monkish ascetism of Celestine and his followers was not a robust form of Christian life, but it was the only one which set itself before the imagination of men. The doctrine of absolute poverty, as held by S. Francis and his followers, was hard to reconcile with the actual facts of life, and the Franciscan order had become divided into two parties, one of which insisted on the rigid observance of the rules of their founder, while the other modified them into accordance with the growing wealth, learning, and importance of their Order. The Pope had striven by judicious measures to hold together these contending parties. But the obvious worldliness of the Papacy estranged from it the more rigid party, the Spiritual Franciscans or Fraticelli, as they were called. In their enthusiastic desire to lead the higher life, they found in Christ and his Apostles the patterns of the lives of Mendicant Friars; and at last the Papacy was brought into open collision with the Franciscan Order. A Dominican Inquisitor at Narbonne condemned for heresy a fanatic who, amongst other things, had asserted that Christ and the Apostles had no possessions, either individually or in common. A Franciscan who was present, maintained the orthodoxy of this opinion against the Inquisitor, and the question was taken up by the entire Order. Two General Chapters were held in 1322, which accepted this doctrine as their own, and rested upon a Papal Bull of Nicolas III., 1279. This brought the matter before John XXII.; but the luxury and quiet of Avignon made the doctrine of apostolic poverty more intolerable to John than it had been to his predecessors. They had contented themselves with

trying to explain it away and evade it; John XXII. denounced the opinion as heretical. The more pronounced of the Franciscan body refused to admit the justice of the Papal decision, and clamoured against John himself as a heretic.

Opposition to John XXII. A.D. 1327.

The question itself may seem of little moment; but the struggle brought to light opinions which in after times were to become of deep importance. As Boniface VIII. had developed a temporal, so did John XXII. develop a spiritual, antagonism to the Papacy. The Pope was regarded as the head of a carnal Church which was degraded by worldliness, wealth, and wickedness, against which was set a spiritual Church adorned by simplicity, poverty, and godliness. The Spiritual Franciscans gathered round Lewis in his contest with the Pope, and lent a religious significance to the struggle. It was not the doings of either party, but the bold expression of opinions, which made the conflict memorable. Against the Pope were arrayed men who attacked him in the interests both of the Church and of the State.

Michael of Cesena and William of Occam.

From the ecclesiastical side, the General of the Franciscan Order, Michael of Cesena, maintained against the Pope the principles on which his order was founded. In his 'Tractate against the Errors of the Pope' he criticised the Papal utterances, denounced portions of them as erroneous, and appealed against him, as against a heretic, 'to the Universal Church and a General Council, which in faith and morals is superior to the Pope, since a Pope can err in faith and morals, as many Roman pontiffs have fallen from the faith; but the Universal Church cannot err, and a Council representing the Universal Church is likewise free from error.'[1] In like manner the Englishman, William of Occam, who had exercised his powers as a disputant in the University of Paris till he won the title of 'the Invincible Doctor,' brought his pen to attack the Pope. In a series of Dialogues and Tractates[2] he poured forth a flood of erudition in which scholastic arguments are strangely mingled with keen criticism of the Papal claims. At one time he is immersed in details of the passing conflict, at another he enunciates general principles of far-reaching importance.

[1] Goldast, *Monarchia*, iii., 1360.

[2] See 'Opus nonaginta dierum,' Goldast, iii. 993, &c.; 'Tractatus de dogmatibus Joannis XXII. papæ,' *ib.* 740, &c.; 'Super Potestate summi Pontificis octo Questionum Decisiones,' *ib.* 313, &c.; 'Dialogus,' *ib.* 399, &c.

INTROD. Against the plenitude of the Papal power he asserts the freedom of the law of Christ; men are not by Christ's ordinance the slaves of the Pope, nor can the Pope dispose of temporal affairs. Christ gave to Peter spiritual jurisdiction over the Church, and in temporal matters the right only of seeking his own maintenance and enough to enable him to fulfil his office. Peter could confer no more on his successors; if they have more, it comes from human grant or human indolence. It is not necessary that there should be one primate over the Church, for the Head of the Church is Christ, and by its union with Him the Church has unity. This unity would not be lessened if there were different rulers over different ecclesiastical provinces, as there are kings over different nations; an aristocratic government maintains the unity of a state as well as does a monarchy. Occam discusses many questions, and the conclusions which he establishes do not form a consistent system; but we see certain principles which he stoutly maintains. He is opposed to the Papal claims to temporal monarchy and spiritual infallibility. Moreover, he shows a remarkable tendency to assert the authority of Scripture as the supreme arbiter of all questions in the Church. The Pope may err; a General Council may err; the Fathers and Doctors of the Church are not entirely exempt from error. Only Holy Scripture and the beliefs of the Universal Church are of absolute validity. Occam seems to be groping after what is eternal in the faith of the Church, that he may mark it clearly off from what is of human ordinance and concerns only the temporary needs of the ecclesiastical system.

Marsiglio of Padua and John of Jandun.

If this is a sample of the ecclesiastical opposition raised against John XXII., the attack was still stronger from the political side, where Marsiglio of Padua and John of Jandun examined with boldness and acuteness the relations between Church and State. Marsiglio was an Italian, who, in the politics of his own city, had gained a comprehensive grasp of principles, and whose mind had matured by the study of Aristotle. John of Jandun, a Frenchman, was Marsiglio's friend, and both held high positions in the University of Paris, which they suddenly quitted in 1327, sought out Lewis, and placed their learning at his disposal for an attack upon the Pope. It was strange that scholars and theorists should come

forward merely on theoretical grounds to enter into a contest which in no way affected themselves. They proposed to Lewis a serious undertaking—that the Empire, as such, should enter into a controversy on abstract questions with the Pope. The Papacy was the source of orthodoxy, the centre of learning; rude soldiers before this had answered its claims by deeds, but Lewis was asked to meet the Pope with his own weapons. Marsiglio urged that John XXII. had already laid himself open to the charge of heresy; his decision about the friars was in contradiction to the opinion of his predecessors; unless the Papal autocracy were to be absolutely admitted, it was the Emperor's duty to check an erring Pope. For a time Lewis hesitated; then he accepted Marsiglio's proposal, and appealed to Christendom to support him in his position.

The 'Defensor Pacis.'

The great work of Marsiglio, the 'Defensor Pacis,' was already written, when first he sought Lewis, and was at once published in explanation of the principles on which Lewis acted. The title of the work was skilfully chosen; it marked out the Pope as the originator of the troubles, discords, and wars which a pacific Emperor wished to check. The work itself is a keen, bold, and clear assertion of the rights of the State as against the Church. Following in the steps of Aristotle's 'Politics,' Marsiglio traces the origin of government and of law. Civil society is a community for the purpose of common life; in such community there are various classes with various occupations; the occupation of the priestly class is 'to teach and discipline men in things which, according to the Gospel, ought to be believed, done, or omitted to obtain eternal salvation.' The regulator of the community is the judicial or governing class, whose object is to enforce the laws. Law is defined as 'knowledge of what is just or useful, concerning the observance of which a coercive precept has been issued.' The legislator is 'the people or community of the citizens, or the majority of them, determining, by their choice or will, expressed by word in a general assembly, that anything should be done or omitted regarding man's civil acts under pain of temporal punishment.'[1]

[1] I do not see that this definition of Marsiglio could be improved upon at the present day: 'Dicamus legislatorem seu causam legis effectivam primam et propriam esse populum seu civium universitatem, aut ejus valentiorem partem per suam electionem seu voluntatem in generali civium congre

INTROD. This legislative power is the source of the authority of the prince or ruler, whose duty it is to observe the laws and compel others to observe them. If the prince set himself above the laws, he ought to be corrected by the legislative power which he represents.

This system of civil life is disturbed by the interference of the spiritual authority, especially of the Pope, with the due execution of the laws, and with the authority of the prince. The Papal claims rest on the supposed descent to Christ's representatives of the plenitude of Christ's power; but this carries with it no coercive jurisdiction (jurisdictio coactiva) by which they may exact penalties or interfere in temporal affairs. It is their claim to this coercive jurisdiction that destroys civil government and causes universal disorder.

The 'Defensor Pacis.'

To trace this point more fully Marsiglio proceeds to examine the relations of the priesthood towards the community. The Church is the community of all who believe in Christ; for all, priests and laity alike, are 'Churchmen,' because Christ redeemed them with His blood. So far as a priest possesses worldly goods or engages in worldly matters, he is under the same laws as the rest of the community. The priesthood can have no authority except what was given by Christ, and the question to be considered is not what power Christ could have given them, but what He actually gave. We find that Christ did not Himself exercise coercive jurisdiction, and did not confer it on the Apostles, but warned them by example, advice and precept to abstain from using it; moreover, Christ submitted Himself to the coercive jurisdiction of temporal princes. Hence no priest has any judicial or coercive power unless it be given him by the legislator; his priestly authority, which he derives from Christ, is to preach the doctrine and administer the sacraments of Christ. To pronounce excommunication does not belong to an individual priest, but to the community of believers or their representatives. The priest is the minister of God's law, but has no power to compel men to accept or obey it; only as physicians care for the health of the body, so do priests, by wise advice and warning, operate on the soul. It

per sermonem expressam, præcipientem seu determinantem aliquid fieri vel omitti circa civiles actus humanos sub pœna vel supplicio temporali.'—*Defensor*, Part I. ch. xii.; Goldast, iii. p. 169.

may be objected that, at least in question of heresy, the priesthood has to judge and punish: really, however, the judge of heresy is Christ, and the punishment is inflicted in another world; the priest judges in Christ's stead in this world, and must warn and terrify offenders by the thoughts of future punishment. The civil power punishes heresy only so far as heresy subverts the law.

Marsiglio next subjects to criticism the doctrine of the Papal supremacy. Priests as such are all equal: S. Peter had no authority over the other Apostles, no power of punishment or jurisdiction. Moreover, the legend that S. Peter was the first Bishop of Rome rests on no Scriptural authority, and has no historical evidence. The appointment and deprivation of ecclesiastics belong to the community of the faithful, as is shown by the appointment of the first deacons recorded in the Acts of the Apostles. This authority of the community is now vested in the princes, and the appointment of good priests is a matter which concerns the well-being of the state.

The Catholic faith is one, and rests on Scripture only, so that decretals and decrees of Popes and Cardinals are not necessary for salvation. When doubts arise about the meaning of Scripture, they can be settled only by a general council of the faithful, in which laity and clergy alike have seats. The summoning of such a council belongs to the supreme legislative power, and only a council can pronounce excommunication or interdict upon princes or peoples. The authority of the Roman bishop over other bishops is necessary to give a head to the Church and a president to its councils; but the Roman bishop has no power of coercion beyond what a council confers.

The existing theory of the primacy of the Pope sprang from the respect originally paid to the Bishop of Rome, which has been extended, partly by unfounded claims of scriptural right, partly by the grants of princes, especially by the donation of Constantine. The Papal primacy has corrupted the Church; for the Pope, through the plenitude of his power, interferes with elections, sets aside the rights of chapters, and appoints bishops who cannot speak the language of the people over whom they are set as shepherds, and who simply aim at gathering money from their flocks. Generally speaking, the bishops cannot preach, nor have they knowledge to refute

INTROD. heresies; and the inferior clergy are as ignorant as their superiors. Lawyers, not theologians, fill the Papal Court; ecclesiastical order is everywhere overthrown by the dispensations from episcopal control which the Pope readily grants to monks and friars. Simony abounds, and on all sides may be seen the proofs that the plenitude of the Papal power is the root of corruption in the Church.

Moreover the Papacy has put forth claims against the temporal power, especially against the Empire. This arises from the fact that the Pope crowned the Emperor, and a reverence at first voluntary has gradually been regarded as a right. Papal recognition has been considered necessary to complete the authority bestowed on the Emperor by election. But this is entirely unfounded; the right conferred by election needs no supplement, and the claims of the Papacy have simply been advanced owing to the frequency of disputed elections and vacancies in the Empire. The Papal claims and the exercise of Papal power in temporal matters have plunged Italy and Germany into discord, and it is the duty of all men, especially of kings and rulers, to check the abuse of this usurped authority.

Influence of the ideas of Marsiglio.

This remarkable work of Marsiglio stands on the very threshold of modern history as a clear forecast of the ideas which were to regulate the future progress of Europe. The conceptions of the sovereignty of the people, and of the official position of the ruler, mark the development of European politics up to our own day. The general relations between Church and State which Marsiglio foreshadowed were those which the Reformation established in countries where it prevailed. In the clear definition of the limits of ecclesiastical authority, and in his assertion of the dignity of the individual believer, Marsiglio's ideas still remained unrealised. It is a wonderful testimony to the vigour of Italian civic life that the political experience gleaned at Padua ran so readily into the form provided by a study of Aristotle's 'Politics,' and produced results so clear, so bold, and so systematic.[1] It is the scientific character of the 'Defensor Pacis' that marks it as especially impartial, and sets it far beyond the other political writings of

[1] See Riezler, *Die literarischen Widersacher der Päpste zur Zeit Ludwigs des Baiers.* Leipzig: 1874. To Riezler belongs the credit of drawing attention to the great importance of Marsiglio's work.

the next two centuries. It was calculated to produce a powerful impression on men's minds, and for a century and a half after its appearance there were no writings in defence of the Papal power. Marsiglio's work remained as a great storehouse for the writers of the next century, and the ease with which the conciliar movement won its way to general acceptance throughout Christendom must be attributed in great measure to the dissemination of Marsiglio's principles. Pope Clement VI. declared that he had never read a more pestilent heretic; and Gregory XI. found that the opinions of Wiclif were only slightly changed from those of Marsiglio.[1] If Wiclif had been as clear and as systematic as Marsiglio, his influence on his contemporaries would have been far greater and his teaching would not have lent itself to so much misunderstanding.

Lewis crowned Emperor in Rome. A.D. 1327.

It was Marsiglio's misfortune that he was allied to a cause which had not a leader strong enough to give adequate expression to the principles which the genius of Marsiglio supplied. The traditions of the past still determined the steps of Lewis; in 1327 he marched into Italy and was elected Emperor by the people of Rome. The old rights of the Roman Republic were set up against those of the Pope, and the Imperial crown was placed on the head of Lewis by Sciarra Colonna, who struck the deadly blow against Boniface VIII. at Anagni. Nor was this enough. The Minorites from the pulpits denounced John XXII. as a heretic, and Rome, which had made an Emperor, was willing to go further and also make a Pope. John XXII. was deposed; a friar was elected Pope by the clergy and laity of Rome, and took the name of Nicolas V. Lewis had no means of combating the fictions on which the Papal power were founded save by setting against them a fiction still more ludicrous. The claim of the citizens of Rome to appoint the temporal and spiritual heads of Christendom was more monstrous than that of the Pope to determine the election of the Emperor. The mediæval theory might be untenable, but the attempt to overthrow it by a

[1] Bull of Gregory XI., May 31, 1377, in Shirley, *Fasciculi Zizaniorum*, p. 243: 'conclusiones . . quæ statum totius ecclesiæ ac etiam secularem politiam subvertere et enervare nituntur; quarumque aliquæ, licet quibusdam mutatis terminis, sentire videntur perversas opiniones ac doctrinam indoctam damnatæ memoriæ Marsilii de Padua, et Johannis a Ganduno.'

INTROD. revival of classical usage was absurd. The last struggle which had so long raged between Empire and Papacy ended in an empty theatrical display.

End of John XXII. A.D. 1334.

Lewis was soon made to feel his real powerlessness. He failed in an attempt to reduce Robert of Naples, and his Italian supporters dropped away from him. He discovered at last that the Italians welcomed an Emperor only so long as he was useful for the purposes of their own factions; when their disputes were settled, they were anxious to get rid of their troublesome guest. Lewis slowly abandoned Italy; the Ghibellin party was everywhere put down; the anti-Pope Nicolas was driven to make humiliating submission to John XXII. Lewis's prestige was gone, and the Pope was triumphant. In vain Lewis tried to be reconciled with the Holy See; John XXII. was inexorable; but the end of John's pontificate gave Lewis some gleam of triumph. John XXII. had made many enemies, who were ready to use any handle against him, and his own pedantic and scholastic mind made him anxious to win theological triumphs. He ventured on an opinion, contrary to the general views of theologians, that the souls of the blessed departed do not see God, and are not perfectly happy, until after the general resurrection. The University of Paris strongly opposed this view, as did popular sentiment. King Philip VI. of France sided with the University, and in a peremptory tone advised the Pope to alter his opinion. The cry of heresy was raised against John XXII., and Lewis was preparing to summon a General Council to enquire into this Papal heterodoxy, when John XXII. died, in December 1334.

Benedict XII. A.D. 1334-1342.

His succcessor, Benedict XII., an upright but feeble-minded monk, would willingly have made peace with Lewis; but he was too much under the power of King Philip VI. to follow his own inclinations. It was to little purpose that he told Philip VI. that, if he had possessed two souls, he would willingly sacrifice one to do him service, but as he only had one soul, he could not go beyond what he thought right. Philip still demanded that Germany should be kept distracted. Benedict XII. had to dismiss the ambassadors of Lewis, with tears over his own powerlessness. The national feeling of Germany declared itself more strongly than before in behalf of Lewis. The States affirmed that Lewis had done all that he ought, and that justice

was wrongfully denied him; they pronounced the Papal sentence of no effect, and threatened with punishment any of the clergy who ventured to observe the Papal interdict. Moreover, the Electoral princes declared at Rense that, on a vacancy in the Empire, he who was elected by a majority of votes was straightway to be regarded as King of the Romans, and stood in no need of Papal confirmation before assuming the title of King and beginning the exercise of the Imperial rights. This declaration passed into a law; and whatever success the Pope might meet with afterwards, he could win no victory in a struggle which had occasioned such an outbreak of decided national feeling. Benedict's successor might humble Lewis before him; but Germany had made good its assertion of national independence, and had rescued its kingship from the difficulties into which its connexion with the Empire had so long involved it. It is true that the kingship was weak and infirm, and that the Empire had dwindled to a shadow; but this only made the German protest against Papal interference more emphatic in its historical importance.

A.D. 1338.

Lewis, however, did not know how to use his advantages; he had not the firmness to carry on a protracted contest, but wavered between rash defiance of the Papal power and abject attempts at reconciliation. After striving for absolution in 1341, he made in 1342 an invasion upon ecclesiastical authority at which Europe stood aghast. By the plenitude of the Imperial power he dissolved the marriage of Margaret Maultasch, heiress of the Tyrol, with John, son of the King of Bohemia, and also granted a dispensation on the ground of consanguinity for her marriage to his own son Lewis, Markgraf of Brandenburg. Such an act was the logical result of the theories of Marsiglio of Padua and William of Occam; and was suggested, or at least defended, by them. They argued, keenly enough, that, if a marriage or a divorce was opposed to the law of God, no one, not even an angel from heaven, could make it lawful; but, if the impediment can be removed by human law, the dispensation ought to proceed from the civil power, and not from the ecclesiastical—from the Emperor, and not the Pope. They forgot that it was an unfortunate case for the assertion of newly claimed powers when personal interest and dynastic aggrandisement were so clearly the ruling motives. The moral

Reaction against Lewis. A.D. 1342.

INTROD. as well as the religious sentiment of Europe was shocked, and the political jealousy of the German nobles was aroused by this accession of power to the Bavarian house. The sympathy which had been on the side of Lewis was now transferred to the Pope, and the views of Marsiglio and Occam were looked upon with increased dread. A reaction set in against the rashness of the reforming party, a reaction which explains the timidity and caution of those who revived its principles when the Great Schism of the Papacy called for some revision of the government of the Church.

Clement VI. and Lewis. A.D. 1342-1347.

The Papacy, on its side also, knew not how to use to real advantage the opportunity which had just been offered. If the piety of Benedict XII. could not overcome the difficulties attendant on a reconciliation with Lewis, the luxurious and worldly Clement VI. was resolved to press Lewis to the uttermost. He would not content himself with the most humiliating submission, but made demands which the Diet set aside as destructive to the Empire; he set up Charles of Bohemia against Lewis, who, however, in spite of his unpopularity in Germany, maintained his position against the Pope's nominee till his death (1347). Even then, Charles was so entirely regarded as a tool of the Pope, that he had some difficulty in establishing his position.

Results of the struggle.

It would seem that the victory in this long and dreary conflict remained with the Pope. Certainly his opponents showed their incapacity for organising a definite political resistance. Resistance to the Pope had not yet become a political idea; at times it burst forth, but soon fell back before other considerations of political expediency. Yet the conflict did much towards educating popular opinion. The flood of political writings awakened a spirit of discussion, which tended gradually to spread downwards. The Papacy was no longer accepted without question as a divine institution; men began to criticise it and examine the origin and limits of its power. The Papacy was no longer looked upon as supreme over the other powers of Europe, but rather as an independent power with interests of its own, which were opposed to the national interests of the States of Europe. The Pope could no longer command public opinion, and feel that it would give force to his decrees. The struggle with Lewis of Bavaria ends entirely the mediæval phase in the history of the Papacy.

In one way this conflict inflicted serious injury on the Papacy; it gave it a delusive sense of power. It well might seem to Clement VI. that Boniface VIII. had been avenged, and that the majesty and dignity of the Papal power had been amply vindicated. Princes might learn, from the example of Lewis, that rebellions against the Papacy were doomed to failure. Moreover, the Papal position was secure at Avignon, which place Clement VI. in 1348 bought from Giovanna of Naples. At Avignon the voice of public opinion did not make itself heard by the Pope's ear so readily as in the turbulent city of Rome. The luxury, vice, and iniquity of Avignon during the Papal residence became proverbial throughout Europe; and the corruption of the Church was most clearly visible in the immediate neighbourhood of its princely head. Luxury and vice, moreover, are costly, and during the Pope's absence from Italy the Papal States were in confusion and yielded scanty revenues. Money had to be raised from ecclesiastical property throughout Europe, and the Popes at Avignon carried extortion and oppression of the Church to an extent which it had never reached before.

Extortions of the Avignonese Popes.

As the Church had grown wealthy in every land Kings and Popes competed with one another to have a share in its revenues. Gregory VII. had laboured to deliver the Church from the power of the temporal rulers, and his attempt was so far successful as to establish a compromise. The Church was to have the show of independence, the State was to have the practical right of nominating to important offices. The claims of the Chapters to elect to bishoprics were nominally unimpaired; but the royal influence was generally supreme. Still the Chapters were equally amenable to the Pope and to the King, and might exercise their right according to the dictation of either. Gradually the King and the Pope arrived at a practical understanding as to the division of spoil. If the offices of the Church were to furnish salaries for the King's ministers, they must also supply revenues to the head of the Church. At times the Pope's authority was exercised to order a rebellious Chapter to accept the King's nominee; at times the Royal authority supported the Pope's request, that the Chapter in their election should provide for one of the Pope's officials. Thus the Chapters, placed between two fires, tended to lose even the semblance of independence; while in this alliance with the Crown, the Papacy

INTROD. soon gained the upper hand. Armed with spiritual power and claiming obedience as the head of the Church, the Pope cloaked his usurpations under the show of right, and extended his claims to smaller benefices, which were in the gift of the King or private patrons. It was but an extension of this principle when John XXII. reserved to himself all benefices vacated by promotion made by the Pope, and afterwards extended his reservation to the most lucrative posts in chapters, monasteries, and collegiate Churches. Monstrous as were these claims, they met with no decided opposition. The frequency of disputes about elections, and the consequent appeals to the Pope, had practically given him the decision of the validity of ecclesiastical appointments. His assumed power of granting dispensations from canonical disabilities made him a useful means of overstepping inconvenient barriers. The Pope had been allowed so much authority to act as the instrument of the selfish interest of kings, that they had nothing to urge when he began to use his powers shamelessly in his own behalf. Clement VI. provided for his nephews and his Court at the expense of Christendom, and said, with a laugh, that his predecessors had not known how to be Popes. Besides provisions, reservations, and dispensations, he demanded large fees for the confirmation of all episcopal elections, and succeeded in wresting from the bishops many of their rights over the inferior clergy. Chief of these were the revenues of benefices during a vacancy (fructus medii temporis), which arose from the extension of feudal reliefs to ecclesiastical holdings. Bishops, as protectors of benefices, disposed of their revenues when they were vacant, and this claim tended to become a regular tax of half a year's revenue paid by the presentee on his succession. The Papacy in its turn took this right from the bishops and claimed it for itself.[1] Moreover, the Pope imposed tithes from time to time on clerical revenues; sometimes for his own use, sometimes granting them to princes on the specious pretext of a crusade. A vast system of Papal extortion gradually developed, partly from the fault of churchmen, who too readily brought their quarrels to the Pope's tribunals, partly from the short-sighted policy of kings and princes, who found in an alliance with the Pope

[1] For the growth of this custom and its relation to annates, see Phillips, *Kirchenrecht*, v. 563, &c. and 572.

an easy means of helping themselves to ecclesiastical revenues. Papal aggression could not have grown unless it had been welcomed in its beginnings, and those who used the Pope's interference to serve their own ends had no strong ground for repelling the Pope when he used his powers in his own behalf. Cries went up throughout Christendom, but it was long before the cries were more than utterances of despair.

Resistance of England to Papal extortion.

England was the first country which showed a spirit of national resistance to Papal extortion. The alliance of the Papacy with John and with Henry III. had awakened a feeling of political antagonism amongst the barons, and they were unwilling to acquiesce, without a protest, in the loss of their rights. Under Edward I. the nation and the King were at one, and the claims of Boniface VIII. were met by a dignified assertion of national rights. The French war of Edward III. gave an increased meaning to the national resistance to the Papal extortions. The Popes at Avignon were the avowed partisans of the French King, and England would not submit to pay them taxes. In 1343 a stand was made against the agents of two Cardinals whom Clement VI. had appointed to offices in England, and they were ignominiously driven from the land. When the Pope remonstrated, Edward III. laid before him a complaint against 'the army of provisors which has invaded our realm,' and drew a picture of the evils which they wrought on the Church. The King was warmly supported by Parliament, which demanded the expulsion of provisors from the country; and in 1351 was passed the Statute of Provisors, enacting that, if the Pope appointed to a benefice, the presentation was to be for that turn in the hands of the King, and the provisors or their representatives were to be imprisoned till they had renounced their claim or promised not to attempt to enforce it. This statute led to a collision of jurisdictions: the royal presentee defended his rights in the King's courts, the Papal provisor supported himself by Bulls from the Pope. To prevent this conflict was passed in 1353 the Statute of Præmunire, which forbade the withdrawal of suits from the King's courts to any foreign court under penalty of outlawry and forfeiture. These laws did not at once arrest the evils complained of; but they served as a menace to the Pope, and impressed on him the need of greater moderation in his

INTROD. dealings with England. They armed the King with powers which he might use if the Pope did not observe fair terms of partnership.

Innocent VI. A.D. 1352–1362.

Under the pontificate of Innocent VI. the advantages reaped by the Papal See from its sojourn at Avignon seemed to have come to an end. The disturbed condition of France no longer offered them security and repose. In 1361 a company of freeboters scoured the country up to the gates of Avignon, defeated the Papal troops, and were only bought off by a large ransom. Innocent VI. found it desirable to increase the fortifications of the city. Moreover, the state of affairs in Italy called loudly for the Pope's intervention. The wondrous attempt of Rienzi to recall the old grandeur of Rome showed the power that still attached to the old traditions of the mistress of the world. The desperate condition of the States of the Church, which had fallen into the hands of small princes, called for energetic measures, unless the Popes were prepared to see them entirely lost to their authority. Innocent VI. sent into Italy a Spanish Cardinal, Gil Albornoz, who had already shown his military skill in fighting against the Moors. The fiery energy of Albornoz was crowned with success, and the smaller nobles were subdued in a series of hard-fought battles. In 1367 Urban V. saw the States of the Church once more reduced into obedience to the Pope.

Urban V. A.D. 1362–1370.

Meanwhile France was brought by its war with England to a state of anarchy, and the French King was powerless to keep the Popes at Avignon or to protect them if they stayed. Urban V. was a man of sincere and earnest piety, who looked with disgust upon the pomp and luxury of the Avignonese court: and he judged that a reform would be more easily worked if it were transferred to another place. In Rome there was a longing for the presence of the Pope, who had not been seen for two generations. The inconvenience of the Papal residence at Avignon was strongly brought out in the repudiation by England (1365) of the Papal claim to the tribute of 1,000 marks which John had agreed to pay in token of submission to Papal suzerainty. These motives combined to urge Urban V., in 1367, to return to Rome amid the cries of his agonised Cardinals, who shuddered to leave the luxury of Avignon for a land which they held to be barbarous. A brief stay in Rome

was sufficient to convince Urban V. that the fears of his Cardinals were not unfounded. The death of Albornoz, soon after the Pope's landing in Italy, deprived him of the one man who could hold together the turbulent elements contained in the States of the Church. Rome was in ruins, its people were sunk in poverty and degradation. It was to no purpose that the Pope once more received in Rome the homage of the Emperors of the East and West: Charles IV. displayed in Italy the helplessness of the Imperial name; John Palæologus came as a beggar to seek for help in his extremity. Urban V. was clear-sighted enough to see that his position in Rome was precarious, and that he had not the knowledge nor the gifts to adventure in the troubled sea of Italian politics: his moral force was not strong enough to urge him to become a martyr to duty. The voices of his Cardinals prevailed, and after a visit of three years Urban returned to Avignon; his death, which happened three months after his return, was regarded by many as a judgment of God upon his desertion of Rome.

Gregory XI. A.D. 1370–1378.

Urban V. had returned to Rome because the States of the Church were reduced to obedience: his successor, Gregory XI., was driven to return through dread of losing entirely all hold upon Italy. The French Popes awakened a strong feeling of national antipathy among their Italian subjects, and their policy was not associated with any of the elements of state life existing in Italy. Their desire to bring the States of the Church immediately under their power involved the destruction of the small dynasties of princes, and the suppression of the democratic liberties of the people. Albornoz had been wise enough to leave the popular governments untouched, and to content himself with bringing the towns under the Papal obedience. But Urban V. and Gregory XI. set up French governors, whose rule was galling and oppressive; and a revolt against them was organised by Florence, who, true to her old traditions, unfurled a banner inscribed only with the word 'Liberty.' The movement spread through all the towns in the Papal States, and in a few months the conquests of Albornoz had been lost. The temporal dominion of the Papacy might have been swept away if Florence could have brought about the Italian league which she desired. But Rome hung back

INTROD. from the alliance, and listened to Gregory XI., who promised to return if Rome would remain faithful. The Papal excommunication handed over the Florentines to be the slaves of their captors in every land, and the Kings of England and France did not scruple to use the opportunity offered to their cupidity. Gregory XI. felt that only the Pope's presence could save Rome for the Papacy. In spite of evil omens—for his horse refused to let him mount when he set out on his journey—Gregory XI. left Avignon; in spite of the entreaties of the Florentines Rome again joyfully welcomed the entry of its Pope in 1377. But the Pope found his position in Italy to be surrounded with difficulties. His troops met with some small successes, but he was practically powerless, and aimed only at settling terms of peace with the Florentines. A congress was called for this purpose, and Gregory XI. was anxiously awaiting its termination that he might return to Avignon, when death seized him, and his last hours were embittered by the thoughts of the crisis that was now inevitable.

Italian feeling towards the Papacy. 1678. 1378

Rome had made many sacrifices to win back the Pope, and on the occurrence of a vacancy which necessitated an election within the walls of Rome, it was likely that the wishes of the city would make themselves felt. The remonstrances of Christendom had been raised against the continuance of the Papacy at Avignon, and its consequent subordination to French influence. Moreover, national feeling had been quickened in Italy, and the loss of the Papacy seemed to be a deprivation of one of her immemorial privileges. To this national feeling was added a spirit of religious enthusiasm, which found its supreme expression in the utterances of the saintly Catharine of Siena. She had exhorted Gregory XI. to leave Avignon, to return to Italy, to restore peace, and then turn to the reformation of the distracted Church. On all sides there was a desire that the Pope should shake off the political traditions which at Avignon had hampered his free action, should recover his Italian lands and live of his own in Rome at peace with all men, and should stop the crying abuses which the needs of a troubled time and of exceptional circumstances had brought into the government of the Church.

The Papacy had been strong in the past when it was allied

with the reforming party in remedying disorder. The question was—would the Papacy again renew its strength by taking up an independent position and redressing the ecclesiastical grievances under which Europe groaned? The first step was its restoration to its ancient capital, where it might again be regarded as the representative of Christendom.

*BOOK I.*

# THE GREAT SCHISM.

1378—1414.

# CHAPTER I.

## URBAN VI., CLEMENT VII. AND THE AFFAIRS OF NAPLES.

## 1378–1389.

CHAP. I.

Preparations for the Conclave. March 27—April 7, 1378.

When Gregory XI. lay upon his death-bed all men in Rome felt that a great crisis was at hand. Among the citizens the ideas of the days of Rienzi and the aspirations of Catharine of Siena passed from mouth to mouth, and the Cardinals were busy consulting on the steps which they could possibly take. The government of Rome was at that time vested in a Senator and thirteen Banderisi, or Bannerets, who commanded the civic levies of the thirteen regions into which the city was divided. Already, before Gregory XI.'s eyes were closed in death, the Romans urged upon the Cardinals the election of a Roman Pope who might introduce order into the States of the Church; and during the funeral rites of Gregory their representations were renewed with increasing persistency. The Banderisi watched the Cardinals to prevent them fleeing from the city, and at the same time took measures to show that they were able and willing to maintain order within the walls. The gates were strictly guarded, the Roman barons were ordered to withdraw, and bands of armed militia were summoned from the country to protect the city against the danger of surprise by the soldier hordes who were prowling in the neighbourhood. A marble column was erected in the middle of the Piazza of S. Peter's, bearing an axe and a block; and three times a day proclamation was made that any one who injured the Cardinals or their attendants would instantly be beheaded. The Cardinals could find no pretext for refusing to proceed to an election at Rome; but they took such precautions as they could on their own account. They sent their valuables and all the Papal jewels for safe-keeping into the Castle of S. Angelo, where the Papal Chamberlain, the Archbishop of Arles, went to secure the

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governor and the garrison. They accepted the Banderisi as guardians of the Conclave, but added to them two Frenchmen, and the Bishops of Marseilles, Todi, and Tivoli.

The Cardinal College.

Of the twenty-three Cardinals who at that time represented the Church, six had remained in Avignon, and one was absent as legate in Tuscany. Of the sixteen who were in Rome, one was a Spaniard, four were Italians, and eleven were French. The great question to be decided at the coming election was, whether by choosing an Italian the Cardinals would assure the return of the Papacy to Rome; or by choosing a Frenchman they would strive to perpetuate its residence at Avignon. The French Cardinals looked upon Rome with disgust as squalid and barbarous; they sighed to return to the luxurious ease of Avignon. If they had been united, they would have secured the majority of two-thirds which was necessary for the election of a Pope. But the French were divided amongst themselves on grounds which awakened amongst them feelings as intense as could inspire the Italians. Clement VI. and his nephew Gregory XI. were both Limousins, and had shown marked preference for their fellow-countrymen. Of the eleven French Cardinals, six belonged to a Limousin party, four were pitted against them as a Gallican party, and one seems to have been doubtful. Rather than submit to the election of another Limousin, the Gallican Cardinals were ready to join with the Italians.

Proposals for a compromise.

In this state of things it was clearly necessary to try and arrange a compromise, and conferences were held before entering into the Conclave. At first the Limousins tried to take advantage of their numerical majority over any other party, and boldly put forward Jean du Cros, Cardinal of Limoges; when told that he was impossible, they proposed Pierre de Bernier, Cardinal of Viviers, who was a native of Cahors, and therefore slightly removed from the dreaded neighbourhood of Limoges. The four Gallican Cardinals, joined by the Spaniard Peter de Luna, declared that they would never agree to this. The Italians meanwhile held by themselves, and demanded the election of an Italian. The Gallican party affirmed that they would make common cause with the Italians rather than give way to the Limousins, and the Limousins, before they entered the Conclave, were prepared to propose a compromise if they

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found it impossible to carry the Cardinal of Viviers. For this purpose they thought of an Italian outside the College, whose election would not be a decisive triumph to any party, and would leave open all the questions which were involved in their struggle. They fixed on Bartolommeo Prignano, Archbishop of Bari, a man of humble rank, who had risen to eminence through the patronage of Pierre de Montérac, Cardinal of Pampeluna, a Limousin, who had remained at Avignon. Prignano had come to Rome as his deputy and exercised in his stead the office of Vice-Chancellor in the Curia. He seems to have acquired considerable influence in Rome, was in the confidence of the Banderisi, and had shown much skill in arranging ith them the measures for the security of the Conclave.[1] Thus he was likely to be acceptable as an escape from the jealousies within the College, while he would satisfy the demands of the Roman people. The Limousins determined that, if a compromise were necessary, it had better proceed from their side. They fixed on a man already connected with their own party, and trusted that gratitude for their good offices would bind him still more securely to their side. Under ordinary circumstances the idea of a compromise would not so soon have taken shape, and a long vacancy would have been the most probable consequence of the divided condition of the College. But under the novel circumstances of an election in Rome, especially in the ferment of popular excitement, long delay was impossible, and a compromise to be effective must be put forward at once.

The Conclave. April 7–8, 1378.

When the time came for the Cardinals to enter the Conclave an excited crowd accompanied them to the door of the chamber in the Vatican. It might well be that, after so many years of disuse, the Romans had forgotten the general decorum which was supposed to attend the solemn ceremony. The crowd pressed into the room with the Cardinals, and peered into every corner to convince themselves that the Cardinals were really to be left alone. It was with difficulty that the room was cleared by the Banderisi, who before withdrawing addressed another

[1] Exemplar Attestationis Cardinalium, dated Aug. 2, to Charles VI. of France; in Bulæus, *Hist. Univ. Paris*, iv. 468. 'In uno existis consiliis' (i.e. of Romans to secure an Italian pope) 'fuit iste D. Bartholomæus tum Archiep. Barensis, prout ipse publice confessus est; quin etiam Bartholomæus postea, ut asserunt fide digni, se multum commendavit Banderensibus existentibus in ecclesia B. Mariæ Novæ antequam conclave intraretur.'

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exhortation to the Cardinals to elect a Roman Pope. It was late in the evening of April 7 when the Conclave was closed, and the repose of the Cardinals was troubled all night by the shouts of the mob, who stood around the palace exclaiming, 'Romano, Romano lo volemo lo Papa, o almanco Italiano.' 'A Roman, a Roman, we want a Roman for Pope, or at least an Italian.' As the morning drew near the tumult outside increased; the campanile of S. Peter's was broken open, and its bells clanged out a summons to a greater crowd. The Cardinals saw that it would be well to lose no time, and the compromise projected by the Limousins began to assume a very definite shape.

On the morning of April 8, after mass had been said, the Cardinals proceeded to vote. The Cardinal of Florence, as the senior, voted first, and expressing his real desire, gave his voice in favour of Tebaldeschi, Cardinal of S. Peter's, a Roman. Next followed the Cardinal of Limoges, who expressed the general opinion of the French party when he said that there were two objections to the Cardinal of S. Peter's: first, that he was a Roman, and it was undesirable to elect a Roman, lest they should seem to have done so through fear; secondly, that he was too infirm for the labours of the Papacy. 'The Cardinal of Florence,' he proceeded, 'belongs to a people who are enemies to the Church; the Cardinal of Milan comes from a land of tyrants who oppose the Church; Cardinal Orsini is a Roman, and also is too young and inexperienced. I give my voice for the Archbishop of Bari.' It was found that there was a general consent; two demurred on the ground that the election was being hurried through fear, and Cardinal Orsini is even said to have proposed that the College should pretend to elect some obscure friar, invest him with the Papal robes to deceive the people, and in the confusion make their escape and proceed to a real election. This proposal was at once rejected. It would seem that there was some sense of popular pressure, but not enough to influence the conduct of the Cardinals.

Tumult at the election of Bartolommeo Prignano.

The election of the Archbishop of Bari had been determined, but before proceeding to the formal act the Cardinals retired to breakfast. The tumult outside was raging furiously; the mob had broken into the Pope's cellars, and the Papal wine had influenced their patriotism. The Cardinals hesitated to

face them with the news that they had not elected a Roman Pope; the man whom they had chosen was not a member of the Sacred College; he was not there, and they had no one to present for the reverence of the crowd. They sent a messenger to summon the Archbishop of Bari and some other ecclesiastics; they also used this opportunity of sending to the Castle of S. Angelo the plate and jewels which they had with them, as they feared that the Conclave chamber would be sacked according to old custom. When the mob saw the prelates arrive, they suspected that an election had been made, and clamoured to be informed. When they found that the vessels of the Cardinals were being carried away, they grew still more suspicious and indignant. No longer able to endure suspense, they rushed to the door which had been already broken down to admit the prelates, and the Cardinals were now genuinely terrified at the prospect of facing the mob with the tidings that they had not elected a Roman. Already steps were heard along the passages, and as the crowd burst in, terror inspired one of the Cardinals to deceive them. 'The Cardinal of S. Peter's is Pope,' was exclaimed by some one, and as the eager throng rushed to do reverence to the old Tebaldeschi, the Cardinals hastened to make their escape. As the rude artisans seized Tebaldeschi's gouty hands to kiss them, it was in vain that the agonised old man screamed out, 'I am not the Pope, but a better man than me.' Few heard him, and those who heard thought it was his humility that spoke. The Cardinals succeeded in getting away before the cries of Tebaldeschi at length convinced his persecutors of the truth. Then a wild search was made for Prignano throughout the palace. If the disappointed mob could have found him, they would have torn him in pieces; but he hid himself in the Pope's most private chamber till the search was abandoned as useless.

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Meanwhile the Cardinals who had escaped, when they saw the excitement of the people whom they had deceived, dreaded the consequences to themselves when the truth was known. Some fled from Rome in fright; some took refuge in the Castle of S. Angelo; five only dared to remain in their own palaces; the Cardinal of S. Peter's alone remained with Prignano in the Vatican. Next day the tumult had ceased. The Roman people magnanimously forgave their disappointment, and the Banderisi loyally accepted the election of the Archbishop of Bari.

Coronation of Urban VI. April 18.

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The new Pope summoned the Cardinals to his side, and the five who were in the city ventured to return to the Vatican; it needed, however, repeated messages, even the entreaties of the Banderisi, before those who were in the castle dared to come forth. At last they assembled, went through the customary formalities, and on Easter Sunday, April 18, crowned the new Pope, who took the name of Urban VI. Next day they wrote to the Cardinals at Avignon announcing their election, and saying that their votes had been given 'freely and unanimously.'

Urban VI. and the Cardinals.

The Cardinals had elected Prignano as a respectable figure-head, who would prove amenable to their wishes. He had a reputation for theological and legal learning; he was well versed in the business of the Curia; he knew the charms of Avignon, and was likely to find a good excuse for returning there and carrying on the traditions of the Avignonese Papacy. Great was their disappointment when they found that one whom they regarded as insignificant was resolved to make himself their master. Urban VI. had never been a Cardinal, and so was untouched by the traditions of the order. Like many men whose presumed insignificance has raised them unexpectedly to high position, he longed to assert his authority roundly over his former superiors. He had long held his tongue and allowed others to lord it over him; now that his turn was come he was resolved to use his opportunity to the full. He was a short, stout man, with a swarthy face, full of Neapolitan fire and savagery. His monkish piety burned to distinguish itself by some striking measures of reform; but he was without knowledge of himself or of the world, and knew nothing of the many steps to be taken between good intentions and their practical execution. He thought that he could enforce his will by self-assertion, and that the Cardinals could be reduced to absolute obedience by mere rudeness. Already on Easter Monday he began to inveigh against the conduct of the bishops, and said that they were perjured because they deserted their sees and followed the Curia. He tried to enforce sumptuary regulations upon the Cardinals, and ordered that they should make their meals of one dish only. He had no tact, no sense of dignity or decorum. He sat in the consistory and interrupted speakers with remarks of 'Rubbish,' 'Hold your tongue,' 'You have said enough.' His anger found vent in unmeasured language. One day he

called Cardinal Orsini a fool; seeing the Cardinal of Limoges turn away his head and make a face at something that he said, he bade him hold up his head and look him in the face. Another day he grew so angry with the same Cardinal that he rushed at him to strike him, but Robert of Geneva pulled him back to his seat, exclaiming, 'Holy Father, Holy Father, what are you doing?'

Growth of opposition to Urban VI.

These were personal matters, intensely galling to the Cardinals, who, under the last Popes, had been richly endowed with ecclesiastical revenues, had lived in luxury, accustomed to treat kings as their equals, and to meet with nothing but consideration and respect. Still Urban VI.'s personal conduct gave them no ground for action, till they found to their dismay that the Pope had no intention of returning to Avignon; he openly told the Banderisi that he purposed to remain at Rome and make a new creation of Roman and Italian Cardinals. The College felt itself seriously menaced; the Frenchmen saw that they would be reduced to a minority, and then would be entirely neglected. Before this common danger all differences disappeared: Gallicans and Limousins were reconciled and prepared to resist the Pope, whom their dissensions had set over them. One day after the Pope had furiously attacked the Cardinal of Amiens, Robert of Geneva said to him openly, 'You have not treated us Cardinals with the honour due to us, as your predecessors used to do, and you are lessening our dignity. I tell you truly that the Cardinals on their side will try to lessen your dignity also.' Urban VI. found that this was no empty menace, and that the hostility of his Cardinals had power even in Rome. The French governor of the Castle of S. Angelo refused to surrender it to the Pope, who, consequently, could not make himself master of the city. The Cardinals knew that they could rely on the support of the King of France against a Pope who avowed his intention of rescuing the Papacy from French influence. Urban's conduct gave them an unexpected ally in Queen Giovanna I. of Naples, who had at first hailed with delight the election of one of her subjects to the Papacy. Counting on the pliancy of the new Pope, her fourth husband, Otto, Duke of Brunswick, hastened to Rome to receive from the Pope's hands his coronation as King of Naples. But Giovanna I. was childless, and Urban VI. did not choose that at her

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death Naples should pass into the hands of Germans; he refused Otto's request, and even treated him with haughty insolence. One day Otto acted as the Pope's cup-bearer at a banquet and, as the custom was, presented the cup on bended knee. Urban for some time pretended not to see him, till one of the Cardinals called out, 'Holy Father, it is time to drink.' Giovanna's ambassadors, who were sent to congratulate Urban VI. on his election, were treated to a scolding on the evil state of Naples, which the Pope threatened to amend. After this it was but natural that Giovanna I., who had been a firm ally of the Avignonese Popes, should be willing to join a party which aimed at the restoration of the old state of things.

Formation of a party against Urban VI. June 1378.

The smouldering discontent was not long in breaking out. At the end of May the Cardinals obtained leave from the Pope to retire before the heats of Rome to Anagni, which had been the summer residence of Gregory XI., where they had houses and stores of provisions. At Anagni the Cardinals found a new ally, whom the Pope's conduct had estranged. Onorato, Count of Fundi, who was Lord of Anagni, had been appointed by Gregory XI. Governor of Campania, and had lent the Pope 20,000 florins. The headstrong Urban refused to pay his predecessor's debts, and after offending Onorato by his refusal, judged it safer to deprive him of his office and confer it upon his enemy, Tommaso of San Severino. After this he grew suspicious of the intercourse of the Cardinals with Onorato; he determined to go to Tivoli for the summer, and ordered the Cardinals to join him there. The Cardinals raised difficulties about leaving their houses, which they had provisioned for the season. The Archbishop of Arles, Gregory XI.'s chamberlain, joined them at Anagni, bringing with him the Papal jewels; the Pope ordered his arrest, and the Cardinals feigned to comply with the Pope's order. The Cardinals at Anagni and the Pope at Tivoli each professed to invite the other, and feigned to wonder at the delay to accept the invitation.

At last the Cardinals let their intentions be seen. They summoned to their aid a band of Bretons and Gascons which had been taken into the service of the Church by Gregory XI., and had served under Robert of Geneva in the year before. These adventurers advanced, plundering the Roman territory, and defeated by Ponte Salaro the Romans who went out against

them. The Breton company pursued its way to Anagni, and Urban, at Tivoli, begged for help from the Queen of Naples, who had not yet declared herself against him, and sent Duke Otto, with 200 lances and 100 foot, to guard his person. Otto, who was a shrewd observer, gave it as his opinion that the Pope's name should be 'Turbanus' instead of 'Urbanus,' as he seemed likely to upset everything, and bring himself into many difficulties.

The Cardinals impugn the election of Urban VI. July 20—Aug. 9, 1378.

The Cardinals at Anagni now found themselves strong enough to proceed to open measures against Urban. On July 20 they wrote to the four Italian Cardinals, who were still with Urban, setting forth that his election had been forced upon them by the Roman mob, and so had not been made freely; they required them to appear at Anagni within five days, to deliberate upon the steps to be taken to obviate this scandal. They wrote also to the University of Paris and to the King of France demanding their assistance. Urban on his part showed himself alive to the importance of the crisis. He sent the three Italian Cardinals who were with him (the Cardinal of S. Peter was ill, and died in August, declaring the validity of Urban's election), to negotiate at Palestrina with those at Anagni; he empowered them to offer to submit the question to the decision of a General Council. The Ultramontanes refused this offer, and urged the Italian Cardinals to join them at Anagni; the Italians wavered, and retired to Genazzano to await the turn of affairs. The King of France, Louis of Anjou, and Giovanna of Naples, openly declared themselves in behalf of the rebels, who on August 9 issued an encyclical letter to the whole of Christendom. They declared that the election had been made under violence; through fear of death they had elected the Archbishop of Bari, in the expectation that his conscience would not allow him to accept an election made in such a way; he had been ensnared by ambition to the destruction of his soul; he was an intruder and deceiver; they called upon him to give up his delusive dignity, and they summoned all Christians to reject his authority.

Legal questions raised by the action of the Cardinals.

War was now declared; but it was at first a war of pamphlets. Learned legists gave their opinions, and universities examined the question. There were two nice points to be determined, and arguments could readily be obtained on either

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side. (1) Did the tumult of the Romans amount to actual violence sufficient to do away with the freedom of the electors? (2) If so, did not the subsequent recognition of Urban by the Cardinals, a recognition which lasted for three months, supply any defect which might have been in the original election? It is clear that these questions might be settled according as prejudice or interest directed. There had been enough irregularity in the election to give the Cardinals a fair plea for their proceedings; but the formal plea was a mere cloak to political motives. The significance of Urban's election lay in the fact that it restored the Papacy to Rome, and freed it from the influence of France. It was not to be expected that the traditions of the seventy years' captivity could be set aside at once; it was not natural that France should let go her hold without a desperate effort. The rebellion of the irritated Cardinals against a Pope who paid no heed to their privileges combined with deep-seated motives of political interest and produced a schism.

Counter-election of Robert of Geneva. Sep. 20, 1378.

The Cardinals at Anagni found that their soldiers consumed all the provisions, so that they were driven to change their abode. They therefore transferred themselves to Fundi, where they were safer under the protection of Count Onorato. The Italian Cardinals went from Palestrina to Sessa, that they might continue their negotiations; soon, however, they were persuaded to join the other rebels at Fundi. It is said that they were won over by a promise that one of them should be elected Pope in Urban's stead. The Cardinals could now point to Urban's helplessness; the whole body of his electors was united in opposition to him. In truth, Urban found himself almost entirely deserted, and when it was too late he repented bitterly of his first rashness. For a time his spirit was crushed, and his secretary, Dietrich of Niem, tells us that he often found him in tears.[1] But he soon plucked up courage, and on September 18 created twenty-eight new Cardinals. This resolute step of Urban's hastened the proceedings of the rebels at Fundi, who, on September 20, elected as their Pope, Robert of Geneva, who took the name of Clement VII. The Italian Cardinals took no part in this election, nor did they repudiate

[1] Niem, *Schism*, i. ch. 12, 'cœpit dolere et quandoque, me vidente, flevit amare.'

it. They returned to Sessa, and thence retired to a castle of the Orsini at Tagliacozzo. There Cardinal Orsini died in 1380, and the two others, feeling that it was too late for reconciliation with Urban, joined the party of Clement.

Previous life of Robert of Geneva.

In their election of Robert of Geneva, the Cardinals had chosen the man whom they thought best fitted to fight a hard battle. Robert was brother to the Count of Geneva, and so was allied with many noble houses. He was in the vigour of manhood, at the age of thirty-six, and had already shown great force of character, and practical skill in business. His fierce determination had been seen in his conduct as Legate in North Italy in 1377, where a rising of Cesena against his soldiers was avenged by a pitiless massacre of the whole city. Even the hardened leader of the savage mercenary band shrank at first from fulfilling Robert's orders, but was urged by the imperative command, 'Blood, blood, and justice.' For three days and three nights the carnage raged inside the devoted city; the gates were shut and no one could escape; at last despair lent strength to feeble arms and the gates were forced open, but the unhappy victims only found another band of soldiers waiting outside to receive them. Five thousand perished in the slaughter, and the name of Cesena would have been destroyed if the barbarous general, Hawkwood, had not been better than his orders, saved a thousand women, and allowed some of the men to escape. This exploit had awakened in Italy the deepest detestation against Robert, but now seems to have stood him in good stead, as convincing his electors of the promptitude and decision which he possessed in emergencies. Moreover, Robert had all the qualities which Urban VI. lacked. He was tall and of commanding presence; his manner was agreeable; he was a favourite with princes and nobles, and knew how to conciliate them to his interests; he had all the suavity and knowledge of the world which were so conspicuously wanting in Urban VI. The Cardinals could not have chosen a better leader of revolt.

Division of Europe between the two Popes.

When the schism was declared and the two parties stood in avowed opposition, allies began to gather round each from motives which were purely political. Italy took the side of the Italian Pope, except the kingdom of Naples, which had been closely connected with the Papacy at Avignon, and so maintained its old position. France laboured for Clement VII., to

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assert its former hold upon the Papacy. England, through hostility to France, became a staunch partisan of Urban, upon which Scotland declared itself on the side of Clement. If Urban, by his unyielding behaviour to Giovanna, had estranged Naples, he had by his complacency secured Germany: one of his first acts had been to accede to the request of the Emperor Charles IV. that he would recognise his son Wenzel as King of the Romans: the death of Charles IV. in November 29, 1378, set Wenzel on the throne of Germany. Hungary took the side opposed to Naples; the northern kingdoms went with Germany; Flanders followed England through its hostility to France; the Count of Savoy adhered to Clement, whose kinsman he was. The Spanish kingdoms alone remained neutral, though in the end they fell into the allegiance of Clement.

Position of Urban VI. in Rome. A.D. 1378.

In Italy Urban's position was certainly the strongest. He had in July made peace with Florence and Perugia; but he had not entire possession of Rome, as the French captain of the Castle of S. Angelo resisted all the onslaughts of the Romans. They broke down the bridge and erected earthworks and palisades, but the castle was well supplied with provisions and guns; for the first time the Romans heard the sound of cannon from its ramparts, and saw the balls shatter their houses. The Borgo of San Pietro was set on fire and destroyed; everywhere in the city was confusion. Outside the walls the Orsini and the Count of Fundi laid waste the Roman territory and cut off their supplies. The position of Urban at the end of 1378 was gloomy enough; he was endeavouring to gather round him the Cardinals whom he had nominated, though some of them declined to accept the dignity at his hands. He found also some satisfaction in excommunicating Clement and his supporters, and in gathering testimonies and writing letters in support of the validity of his own election.

The Company of S. George.

But he did not disregard the measures necessary to secure his own safety. Against the Breton band, which was now under the command of Clement VII.'s nephew, the Count Montjoie, Urban summoned the aid of a band of adventurers under the leadership of a young Italian general, Alberigo da Barbiano. In the course of the thirteenth century in Italy the old communal militia had declined; the war of the Papacy against Frederic II. and his house made Italy the battle-field of foreign

forces, and foreign mercenaries had taken the place of the civic levies. During the fourteenth century Italy had been the prey of German, Hungarian, Provençal, English, and Breton bands, who preyed upon the country and perpetuated the anarchy on which they prospered. But the spirit of adventure had at last awakened among the Italians themselves, and to Alberigo da Barbiano belongs the fame of having first gathered together the company of S. George, composed of soldiers who were almost entirely Italian. The growing national feeling which had drawn such a band together found a worthy object for its first exploit in upholding the cause of the Italian Pope against his French opponents. Italian piety, as embodied in the mystic maid, Catharine of Siena, sent forth its imploring cry to Italian patriotism. 'Now,' she exclaims, 'is the time for new martyrs. You are the first who have given your blood; how great is the fruit that you will receive! It is eternal life. . . . We will do like Moses, for while the people fought Moses prayed, and while Moses prayed the people conquered.' It is significant to note how round this war of the rival Popes gathered the first enthusiasm of a new national feeling in Italy.

Victory of Alberigo da Barbiano. April 29. 1379.

No sooner had Alberigo arrived in Rome and received the Papal benediction than he set out against the enemy, who were besieging Marino, only twelve miles distant from Rome, April 29, 1379. He drew up his forces in two squadrons, while Montjoie arranged his in three. Alberigo sent out his first squadron under one of his captains, but it was discomfited by the opposing squadron of the foe. Then Alberigo himself charged, drove back the pursuers in disorder upon their second squadron, routed that also, and charged the third division, which was commanded by Montjoie. The battle was long and desperate, but the Italians won the day. Great was the joy in Rome: Urban dubbed Alberigo knight, and presented him with a banner emblazoned with a red cross, and bearing the inscription, 'Italia liberata dai barbari.' It was a national as well as a Papal victory.

Surrender of the Castle of S. Angelo. April 29, 1379.

On the same day the Castle of S. Angelo capitulated, and the Roman people, in their hatred of this terrible fortress, which had so often held them in subjection, set themselves to work to destroy it. But this mighty structure of Roman masonry,

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the tomb of Hadrian, which had been transformed into a castle, and was bound up with the most glorious memories of the city, withstood even the fury of the people. They tore off its marble covering, but the mass of the interior buildings still resisted their efforts; it remains to this day a mutilated monument of its former greatness.[1]

Retreat of Clement VII. to Avignon. June 10, 1379.

In the first flush of his victory at Marino, Alberigo had not bethought himself of pressing on to Anagni. But Clement VII. found it no longer a safe place of residence. He hastily retreated to Sperlonga, and thence to Gaeta, where he took ship to Naples, and was received with royal pomp by Queen Giovanna I. But the people viewed his presence with dislike: their sympathies naturally went with their fellow-countryman Urban. A tumult arose in the city; the mob rushed through the streets with cries of 'Viva Papa Urbano!' and pillaged the houses of the Ultramontanes. Clement VII. saw that there was no safe resting-place for him in Italy: he took ship for Avignon, where he arrived on June 10, and was received with reverence by the five Cardinals who, during these stormy scenes, had remained there in peace. Avignon was the only place outside Rome where a Pope could find a resting-place, and there Clement VII. was secure in the allegiance of France. It is true that at first the University of Paris held aloof; some were for Urban, the majority were in favour of neutrality. But Charles V. paid little heed to the scruples of canonists or theologians in a matter that involved the national dignity. He urged on the University the recognition of Clement VII.; it was forced to give way, and reported that a majority of the faculties assented to the decree in Clement VII.'s favour.

Condition of affairs in the kingdom of Naples.

Urban VI. was not so free as Clement VII. from dangerous neighbours; he bitterly resented the defection of the kingdom of Naples, his native country, and the condition of the land soon gave him grounds to interfere in its affairs. Since the fall of the Roman Empire, Southern Italy had been the battlefield of contending powers. Greeks, Lombards, and Saracens

[1] Niem, *Schism*, i. 20:—'Quo quidem castro habito Romani muros ejus ex quadratis lapidibus marmoreis albissimis valde magnis compositos, et etiam muros archi seu carceris dicti castri ex similibus lapidibus factos diruerunt, ac plateas in ipsa urbe in diversis locis ex illis reformarunt; tamen dictum castrum non potuerunt omnino destruere.'

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in turns prevailed, until a band of Norman adventurers brought order into those fair provinces, gradually founded a kingdom of the Two Sicilies, and obtained from Papal recognition a title to legitimacy. The Norman dynasty handed on its claims by marriage to the Suabian Emperors, whose line died out in war against the Papacy, which transferred the kingdom to Charles of Anjou. But before his death Charles lost Sicily, which went to the house of Aragon; and in Naples itself the house of Anjou fell into disunion. Charles II. of Naples gained by marriage the dowry of Hungary, which passed to his eldest son Charles Martel, while his second son, Robert, ruled in Naples. But Robert survived his only son, and left as heiress of the kingdom his grand-daughter Giovanna. The attempt to give stability to the rule of a female by marriage with her cousin, Andrew of Hungary, only aroused the jealousy of the Neapolitan nobles and raised up a strong party in opposition to Hungarian influence. Charles II. of Naples, Giovanna's great-grandfather, had left many sons and daughters, whose descendants, of the great houses of Durazzo and Tarento, like those of the sons of Edward III. in England, hoped to exercise the royal power.[1] When, in 1345, Pope Clement VI. was on the point of recognising Andrew as King of Naples, a conspiracy was formed against him, and he was murdered, with the connivance, as it was currently believed, of the Queen. Hereon the feuds in the kingdom blazed forth more violently than before; the party of Durazzo ranged itself against that of Tarento, and demanded

1040–1194.

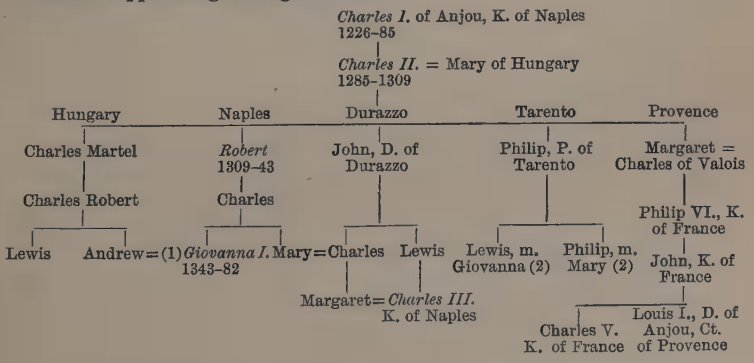
A.D. 1272.

A.D. 1283.

A.D. 1285–1309.

A.D. 1309–43.

[1] As some sort of guide to the dreary and complicated history of Naples at this time, I append a genealogical table :—



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punishment of the murderers. Giovanna I., to protect herself, married Lewis of Tarento in 1347. King Lewis of Hungary, aided by the party of Durazzo, entered Naples to avenge his brother's death, and for a while all was confusion. On the death of Lewis of Tarento (1362), Giovanna I. married James, King of Majorca, and on his death (1374), Otto, Duke of Brunswick. Giovanna I. was childless, and the slight lull which in the last years had come over the war of factions in Naples was only owing to the fact that all were preparing for the inevitable conflict which her death would bring.

Plot of Giovanna I. against Urban VI. A.D. 1380.

It was easy for Urban VI. to awaken confusion in Naples, and precipitate the outbreak of war. At first Giovanna I. seems to have been alarmed after the departure of Clement VII.; she made overtures to Urban VI., and promised to send ambassadors to arrange the terms of her submission. Soon, however, she changed her mind, recalled her ambassadors, and is said to have set on foot a conspiracy to poison Urban VI.

The Roman people, free from the dread of Clement's neighbourhood, found themselves more at leisure to criticise Urban VI.'s behaviour, and began to assert their freedom by seditious outcries. So alarming were their threats, that the holy maiden, Catharine of Siena, who stood by the Pope with enthusiastic devotion, betook herself to earnest prayer as a means of averting from him impending calamity. She saw the whole city filled with demons who were inciting the people to crime, and who gathered with loud clamour round the praying saint to terrify her from her pious work, which was baffling their endeavours. Urban VI. showed his courage by ordering the doors of the Vatican to be thrown open to the clamorous mob; when they had rushed in they found the Pope seated on his throne in full pontificals. He calmly asked them what they wanted, and they, abashed by his display of dignity, retired in peace. After this the tumult in Rome settled quietly down, and when Giovanna I. stirred up Rainaldo degli Orsini to lead a troop against Rome, the Romans repulsed them, and left their captives bound to trees to perish with hunger.

Catharine of Siena, died April 29, 1380.

The legend goes on to say that some of those who called on Catharine of Siena were miraculously released. It was the last miracle wrought by the saint in the flesh, as she died on April 29, 1380. In the dismal history of these gloomy times, she

presents a picture of purity, devotion, and self-sacrifice, to which we turn with feelings of relief. In her intense and passionate desire for personal communion with Jesus, Catharine resembled the fervent nature of S. Francis of Assisi. But her lot was cast in times when zeal had grown cold in high places, and she spent her energy in agonised attempts to heal the breaches of the Papal system. A simple maiden of Siena, she ventured in her Master's name to try and redress the evils which were so open and avowed. She saw Italy widowed of its Pope; she saw the Church venal and corrupt; and though she was inspired by mystic enthusiasm, she worked with practical force and courage to restore the Papacy to Italy and inaugurate an era of reform. In urgent tones she summoned the Popes from Avignon, and Urban V. answered to her call. She went from city to city pleading for peace, and in the discharge of her mission shrank neither from the fierce brawls of civic passion nor the coarse brutality of the condottiere camp. Before her eyes floated the vision of a purified and reformed Church, of which the restoration of the Papacy to its original seat was to be at once the symbol and the beginning. Blinded by her enthusiasm, she hailed with delight the accession of Urban VI., and by the side of the violent and vindictive Pope, her pure and gentle spirit seems to stand as an angel of light. She did not long survive the disappointment of the Schism, and though she remained constant in her allegiance to Urban VI., his character and actions must have been a perpetual trial to her faith. She died at the age of thirty-three, and the removal of her influence for mercy is seen in the increased vindictiveness of Urban's measures. Canonized by Pius II., Catharine of Siena has a claim upon our reverence higher than that of a saint of the mediæval Church. A low-born maiden, without education or culture, she gave the only possible expression in her age and generation to the aspiration for national unity and for the restoration of ecclesiastical purity.

Alliance of Urban VI. with Hungary. April—Nov. 1380.

Urban VI. finding himself menaced by Giovanna of Naples, did not hesitate to accept the challenge, and on April 21 declared her deposed from her throne as a heretic, schismatic, and traitor to the Pope. He looked for help in carrying out his decree to King Lewis of Hungary, who had for a time laid aside his desire for vengeance against Giovanna, but was ready

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to resume his plans of aggrandisement when a favourable opportunity offered. He had brought into subjection his powerful nobles, and had consolidated Hungary into a strong and aggressive power: when Urban's messengers reached him he was at war with Venice for the possession of Dalmatia. Lewis was not himself disposed to leave his kingdom; but he had at his court the son of his relative, Lewis of Durazzo, whom he had put to death in his Neapolitan campaign for complicity in Andrew's murder. Yet he felt compassion for his young son Charles, brought him to Hungary, and educated him at his court. As Giovanna was childless, Charles of Durazzo, or Carlo della Pace, as he was called in Italy, had a strong claim to the Neapolitan throne at her death. Lewis, who had only a daughter to succeed him in Hungary, was not sorry to rid himself of one who was conspicuous for military and princely qualities. He furnished Charles with Hungarian troops for an expedition against Naples, after exacting from him a promise that he would put forward no claim to the thrones of Hungary and Poland. In November Charles made his entry into Rome. He was a little man, with fair hair, of princely bearing, well qualified to win men's goodwill by his geniality, and by his courage to make the most of his opportunities. He was also a friend of learning and a man of keen political intelligence. He was one of the earliest of Italian rulers who combined a love for culture with a spirit of reckless adventure.

Clement VII. sanctions Giovanna's adoption of Louis of Anjou. June 29, 1380.

Clement VII. on his side bestirred himself in behalf of his ally Giovanna, and for this purpose could count on the help of France. Failing the house of Durazzo, the house of Valois could put forward a claim to the Neapolitan throne, as being descended from the daughter of Charles II. The helpless Giovanna I. in her need adopted as her heir and successor Louis, Duke of Anjou, brother of the French king, and called him to her aid. Clement VII. hastened to confer on Louis everything that he could; he even formed the States of the Church into a kingdom of Adria, and bestowed them on Louis; only Rome itself, and the adjacent lands in Tuscany, Campania Maritima, and Sabina were reserved for the Pope. The Avignonese pretender was resolved to show how little he cared for Italy or for the old traditions of the Italian greatness of his office.

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Preparations of Louis and of Charles. Nov. 1380—June 1381.

Charles of Durazzo was first in the field, for Louis of Anjou was detained in France by the death of Charles V. in September 1380. The accession of Charles VI. at the age of twelve threw the government of the kingdom upon the Council of Regency, of which Louis of Anjou was the chief member. He used his position to gratify his chief failing, avarice, and gathered large sums of money for his Neapolitan campaign. Meanwhile Charles of Durazzo was in Rome, where Urban VI. equipped him for his undertaking. He made Charles Senator of Rome, that he might call out the levies of the Roman people; he exhausted the Papal treasury, and even laid hands on the sacred vessels and images of the Roman churches, to supply pay for the troops of Alberigo da Barbiano, which were summoned to swell the ranks of Charles. But the Pope's zeal for Charles was tempered by attention to his own interests, and though willing to invest Charles with the kingdom, he demanded a high price for his services. Charles found the Pope's terms exorbitant, and the differences between them were only settled by an arbitration, conducted on the Pope's side by five Cardinals, and on the part of Charles by a learned Florentine lawyer, Lapo da Castiglionchio. Ultimately Charles agreed to confirm grants which the Pope claimed to have made in the vacancy that, according to him, followed on Giovanna's deposition. The grants were all in favour of Urban's nephew, Francesco Prignano, nicknamed Butillo, and conferred on him Capua, Amalfi, Caserta, Fundi, Gaeta, Sorrento, and other towns, all the richest part of the Neapolitan kingdom. This unblushing nepotism of Urban VI. was not justified by anything in the capacities or character of his nephew, who was a rude and profligate ruffian, with no ability to redeem his vices from infamy.[1] When this matter had been arranged to Urban's satisfaction, he conferred on Charles the investiture of Naples, on June 1, 1381. He was proud of his triumph over Charles, and was determined to read him a lesson on the necessity of obedience. He sent for Lapo da Castiglionchio in the presence of the Cardinals and of the King's attendants, and as he knelt before him, proudly said, 'King Charles, King Charles, make

[1] Niem, *Schism*, i. 21, calls him 'effeminatus et inutilis'; i. 33, 'crapulis, voluptatibus, somno et luxuriæ deditus.'

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much of Lapo, for it is he who has made you king.'[1] The coronation of Charles was performed with due pomp and ceremony. Urban, in a sermon of two hours' length, praised his virtues and published a crusade in his favour; with his own hands he fastened the red cross on the breast of Charles.

Success of Charles of Durazzo against Naples. June 8—August 1381.

Charles, who had been fretting under this long delay, hastened to leave Rome on June 8, and marched against Naples, where he had not many difficulties to encounter. The Neapolitan barons were for the most part on his side; they preferred a native ruler to a foreigner who would bring with him a train of French followers. Moreover, Urban VI., as a Neapolitan, had the popular sympathies in his favour; he had raised many Neapolitans to the Cardinalate, while Clement VII. had chosen only Frenchmen. The cause of Charles and Urban was the national side, and Giovanna found herself in great straits. Yet her husband Otto was a brave soldier and went out to meet the foe. His first effort to check him on the frontier was unsuccessful; he was repulsed from San Germano on June 28, and Charles pressed on to Naples. Otto hurried after him, and the two armies were face to face outside the walls; but a rising within the city opened the gates to Charles on July 16, and Giovanna I. was driven to take refuge in the Castel Nuovo and Otto retreated to Aversa. Charles vigorously pressed the siege of the castle, which was ill supplied with provisions; he neglected no means of bombardment to terrify the garrison, for he was anxious to get the Queen into his hands before reinforcements could arrive from Provence.[2] It was to no purpose that Giovanna scanned the waters to catch sight of the sails of Provençal galleys; provisions failed, and on August 20 she was driven to open negotiations with Charles. A truce was

[1] See an interesting letter of Francesco da Castiglionchio, Lapo's nephew, written from Rome to his father, in Mehus, *Epistole di Lapo da Castiglionchio*, Bologna, 1753, p. 149.

[2] Gobelinus, Cosmodromion (*Ætas.* vi. ch. 76) gives a horrible account of the siege operations: 'Quoddam turpis machinationis genus hunc excogitavit in modum; capiebantur quædam barilia, quæ stercore humano mixto cum manibus, pedibus, vel capitibus, aut aliis membris a captivorum corporibus nimia crudelitate præcisis impleta machinis ad aeris alta projecta, dehinc cadentia deorsum super ipsius castri planitiem, vel ædificiorum structuras, impetuose magno cum fragore collisa, tantum fudere fætorem, ut intra castra existentes, in aeris infecti attractione continua vomere compulsi, illico se suffocari timuerunt.'

made for five days, at the end of which the Queen was to surrender if no help came. On the morning of the 24th Otto resolved to make a last desperate effort; gathering his forces, he advanced against Charles. But his troops were half hearted, and when Otto rushed upon the foe they did not follow him; he was surrounded and made prisoner. Giovanna I.'s last hopes were gone, and on August 26 she surrendered the castle to Charles, who in a few days received the submission of the whole kingdom. No sooner was Charles in possession of Naples than Urban's legate, Cardinal de Sangro, proceeded to treat the clergy as a barbarous conqueror dealing with defeated rebels. The unhappy prelates, who had only obliged their Queen in recognising Clement VII., were deprived of their possessions, imprisoned, and tortured without regard to their rank or dignity. Urban is said to have appointed on one day thirty-two archbishops and bishops for the Neapolitan kingdom.[1]

Death of Giovanna I. May 12, 1382.

Louis of Anjou had delayed to help Giovanna I. while she was still in possession of the kingdom; his help when she was in captivity only hastened her death. At first Charles hoped to obtain from Giovanna the adoption of himself and a revocation of her previous adoption of Louis, so as to secure for himself a legitimate title. He treated the Queen with respect till he found that nothing could overcome her indomitable spirit; then he changed his policy, imprisoned her closely, and in view of the approaching invasion of Louis, judged it wise to remove her from his path. She was strangled in her prison on May 12, 1382, and her corpse was exposed for six days before burial that the certainty of her death might be known to all. Thenceforth the question between Charles III. and Louis was not complicated by any considerations of Giovanna's rights. It was a struggle of two dynasties for the Neapolitan crown, a struggle which was to continue for the next century.

Louis of Anjou invades Naples. A.D. 1382–3.

Crowned King of Naples by Clement VII., Louis of Anjou quitted Avignon at the end of May, accompanied by a brilliant array of French barons and knights. He hastened through North Italy, and disappointed the hopes of the fervent partisans of Clement VII. by pursuing his course over Aquila, through the Abruzzi, and refusing to turn aside to Rome, which, they said, he might have occupied, seized Urban VI.,

[1] Niem, *Schism*, i. 26.

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and so ended the Schism. When he entered the territory of Naples he soon received large accessions to his forces from discontented barons, while twenty-two galleys from Provence occupied Ischia and threatened Naples. Charles was unable to meet his adversary in the field, as his forces were far inferior in number to those of Louis, which were estimated by contemporaries at 40,000 horse; he was compelled to act on the defensive, but showed such tactical skill that Louis, in Maddaloni, could obtain no fodder for his horses, which died miserably, while his men suffered from the hardships of a severe winter, and no decisive blow could be struck. Throughout the winter and the following spring Charles acted strictly on the defensive, cutting off supplies, and harassing his enemy by unexpected sallies. The French troops perished miserably from the effects of the climate; the Count of Savoy died of dysentery, on March 1, 1383; Louis saw his splendid army rapidly dwindling away.

Urban VI. goes to Naples. A.D. 1383.

But Urban VI. was already discontented with Charles. His fiery temper wished to see the invaders swept away from the land, and he resolved to give his cautious vassal a lesson in generalship. Moreover, Charles already showed signs of ingratitude, and took no steps to hand over to the nephew Butillo his share of the spoil. Urban VI. resolved to go in person to Naples, and there settle everything that was amiss. In vain the six Cardinals who were with him protested against the dangers of such a course; in vain some of them pleaded poverty as a reason why they should remain behind. Urban threatened them with immediate deposition unless they followed him, and they were compelled to obey. Taking advantage of a pestilence which was raging in Rome, Urban VI. withdrew to Tivoli in April without exciting the suspicion of the people; thence he advanced to Valmontone, through Ferentino and San Germano to Suessa, and so to Aversa.

Dealings of Charles of Naples with Urban VI. A.D. 1383.

Charles was naturally disturbed at the news of the Pope's journey to his territory. He was sufficiently employed by his contest with Louis, without being exposed to the complications which might arise from the presence of the suzerain in a kingdom whose possession was yet ill assured. He resolved at once to give the Pope a lesson, and show him his real powerlessness. He accordingly went to meet the Pope at his entry into Aversa.

Urban VI. attired himself in full pontificals; but Charles came dressed in a simple suit of black, and, instead of advancing in state along the road, came across country, so as to give the meeting an accidental appearance. Still he showed all signs of dutiful respect. But, as he was leading the Pope's palfrey towards the castle of Aversa, Urban expressed his desire to take up his quarters in the Bishop's palace. Charles at once gave way; but Urban's followers observed with terror that the city gates were shut after they entered. The following night Charles sent orders to Urban to come to the castle. The Pope replied that it was the same hour as that in which the Jews had seized Christ; he was hurried away by armed men, passionately declaring them excommunicated as he went, and assuring them of the certainty of their damnation. After three days spent with Charles in Aversa, the King and the Pope journeyed amicably together to Naples, where they made their solemn entry on November 9. Again the Pope wished to take refuge in the Archbishop's palace. 'Nay, Holy Father,' exclaimed the King, 'let us go to the castle.' There for five days the Pope was kept in honourable custody till an agreement was made between him and the King, that the nephew Butillo was to have Capua, Amalfi, Nocera, and other places, as well as a revenue of 5,000 florins; and the Pope, on his part, was not to interfere in the affairs of the kingdom. This compact, made by the intervention of the Cardinals, was celebrated by rejoicings, and the Pope took up his residence in the Archbishop's palace in peace. Yet his desire to enrich his relatives was insatiable, and two of his nieces were married with great pomp to Neapolitan nobles. The parade of Papal ceremonial was welcomed by the Neapolitans, though the religious impression produced by the Pope's ecclesiastical solemnities was somewhat marred by the misconduct of his nephew. On Christmas eve, as the Pope was present at vespers in the cathedral, a rumour was suddenly brought that Butillo had forcibly entered a nunnery and violated a sister of noble birth, remarkable for her beauty. Charles was glad to make use of this scandal, and called Butillo to trial. Urban VI. excused his nephew on the ground of youth (he was forty years old), and urged his rights as suzerain of Naples to stop the proceedings. Charles gave way, after remodelling his agreement with the Pope, and as a

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punishment for his offence Butillo was condemned to matrimony. He wedded a lady related to the King, and received in dowry the castle of Nocera, and a promise of a revenue of 7,000 florins, so long as the domains which Charles had granted him remained in the possession of Louis. After this settlement of affairs, Urban, on January 1, 1384, proclaimed a crusade against Louis as a heretic and schismatic, and Charles unfurled the banner of the Cross.

Campaign of 1384.

The presence of the Pope gave fresh vigour to the efforts of Charles, for it made him anxious to rid himself of Louis before turning against Urban VI., whose presence in his kingdom was intolerable to him. He followed up the Papal proclamation of a crusade by a royal edict (January 15), summoning all his counts and barons to prepare for an expedition in the spring. Meanwhile he raised supplies from every quarter; the finest horses of the Cardinals disappeared from their stables, and men said that the King knew where they had gone.[1] The cloths of the Florentine, Pisan, and Genoese merchants, which were in the custom-house, were seized and appropriated to the royal service. On April 4 Charles led out his army to Barletta, whither Louis advanced against him and offered battle. Charles took counsel of his prisoner, Otto of Brunswick, who advised him not to risk battle, but to act on the defensive, as Louis would not long be able to keep the field against him. His advice proved wise; after a few skirmishes Louis was compelled to fall back upon Bari. As a token of his gratitude, Charles set Otto at liberty, and remained at Barletta watching Louis.

Urban withdraws to Nocera. May 1384.

Meanwhile, Urban had determined to withdraw himself from the power of Charles, and take up a strong position against him. In spite of the King's promises, Capua had not yet been handed over to the Pope's nephew, and Nocera was the only place which Butillo could call his own. Hither Urban retired during the King's absence from Naples. The castle of Nocera was strong, and Urban caused it to be well provisioned; but the town that gathered round it did not contain seventy habitable houses, and the Curia found Nocera a most uncom-

[1] Giov. Nap., 1049: 'Questo Cardinale di Ravenna havea dieci corsieri bellissimi, e questa notte ne foro rubbati sette; e se dicea che Rè Carlo seppe ben dove andarono.'

fortable residence when Urban, in the middle of May, transferred his court thither. He was resolved to make Nocera the capital of the Papacy till he had settled at his will the affairs of Naples, and he conferred upon the town the title of 'Luceria Christianorum.' The Cardinals shuddered at the horrors of the life they led in Nocera, and longed for an opportunity to escape. In the middle of August some smoke in the distance caused an alarm that the enemy was advancing against the city. There was a general flight, in which some of the Cardinals took refuge in Naples, and showed no disposition to listen to the Pope's summons to return. Strengthened by their return, Queen Margaret, who was Regent in Naples, forbade the supply of provisions to the Pope, on which Urban retaliated by asserting his claims as suzerain to interfere in the affairs of the kingdom. He abolished the impost on wines, and forbade its payment to the royal officers, under pain of excommunication.

Death of Louis I. of Anjou. Sept. 1384.

It was clear to Charles that Urban was a more serious adversary than Louis; but Charles lay helpless, his army was attacked by the plague, and he himself was stricken down by it. It spread to the army of Louis, which was already worn out by hardships and by want of food, and proved more fatal than in the camp of Charles. In September Louis himself died, leaving behind him a will by which he bequeathed his claims on Naples to his eldest son. Louis was a brave and skilful general and a sensible politician; in France he might have played a useful part: as it was he wasted his own life and that of many noble followers in the useless pursuit of a kingdom. Naples was to prove hereafter the destruction of his race, and his own fortunes were but a symbol of the fate of those who were to follow in his steps.

Hostilities between Charles and Urban VI.

On the death of Louis the remnant of his army dispersed, and Charles was free from one antagonist. Still suffering from the effects of the plague, he returned to Naples on November 10, and at once proceeded to bring matters to a crisis with the Pope. He sent to enquire courteously the reason why the Pope had quitted Naples, and invited him to return thither. Urban VI. haughtily answered that kings were wont to come to the feet of popes, not popes at the command of kings. He went on to assert his right as suzerain to interfere in the affairs

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of Naples. 'Let the King,' he said, 'if he wishes for my friendship, free his kingdom from oppressive imposts.' He seems to have wished to gather round himself a popular party, and it was believed that he had formed the wild idea of setting his worthless nephew Butillo on the throne of Naples. The answer of Charles was equally clear and decided; the kingdom, he said, was his own; he had won it by his own arms and labours. As to taxation, he would impose as many taxes as he chose; let the Pope busy himself with his clergy, and not meddle with things that did not concern him. War was now declared between the Pope and the King; and both sides prepared for the conflict.

Plot of the Cardinals against Urban VI. Jan. 1385.

Charles found adherents amongst Urban's Cardinals, who repined at the discomforts of Nocera, and there were few who could sympathise with Urban's schemes. He had been elected Pope that the Papacy might be restored to its old seat at Rome. It was more intolerable that Nocera should be the head-quarters of the Papacy than Avignon. Urban's designs to establish his nephew in Naples interested no one but himself; and the Cardinals stood aghast at the stubbornness and recklessness of the intractable Pope. It was monstrous that they should submit to be dragged helplessly from place to place as the whim of the passionate old man might dictate. It was natural that they should take counsel together how they could rid themselves from this intolerable yoke. They consulted a learned lawyer, Bartolino of Piacenza, and submitted a case for his opinion: they wished to know if a Pope who was imperilling the Church, and ruling at his own will without paying any heed to the Cardinals, might be compelled to accept a council elected by the Cardinals to regulate his doings. Their plan was to set up a body of commissioners by the side of an incapable Pope; the Papal monarchy as exercised by a mad despot was to be limited by a permanent council of the ecclesiastical aristocracy. The plan was ingenious, and the constitutional question which it raised was of great importance for the future of the Papacy. But the Cardinal Orsini of Manupello revealed it to Urban VI. before it had been brought to maturity, and the Pope lost no time in crushing it. On January 11, 1385, he called to a consistory the six Cardinals whom he most suspected; his nephew Butillo seized them, and cast them into a loathsome dungeon made in

a broken cistern. The Pope accused them of a plot to seize his person, compel him to confess himself to be a heretic, and then burn him. They were left in their horrible dungeon to suffer from cold, hunger, and loathsome reptiles. Dietrich of Niem, who was sent to examine them, gives us an account of their sufferings and of the Pope's vindictive fury. It was in vain that the unhappy men pleaded their innocence; in vain Dietrich of Niem entreated the Pope to be merciful. Urban's face glowed with anger like a lamp, and his throat grew hoarse with furious maledictions. The accused were dragged before a consistory and were urged to confess; when they still pleaded innocence, they were again plunged into their dungeon. Three days afterwards they were submitted to torture, elderly and infirm as many of them were. The brutal Butillo stood by and laughed at their sufferings, while the Pope himself walked in a garden outside, listening with satisfaction to their shrieks of agony, and reading his hours from the Breviary in a loud voice that the torturer might display more diligence when he knew that the Pope was at hand. After this the unhappy Cardinals were again carried back to their prisons. With his College of Cardinals thus crippled, Urban proceeded to strengthen it by new nominations, amongst whom were many Germans. We are not surprised to find that they all refused the dangerous honour, and only a few Neapolitans could be found to accept it. Five of his Cardinals left him, and wrote to the Roman clergy declaring that they could no longer recognise Urban as Pope; they told the story of his recent cruelty; they complained of his stubborn, intractable, perverse, and haughty character, which reached almost to the pitch of madness; his conduct was ruining the Church; his orthodoxy was doubtful; they declared their intention of coming to Rome and there summoning a General Council to consider how the dangers which threatened the Church might be averted.

Urban VI., however, was undaunted. His arrogance and recklessness were thorough, and admitted as little consideration for the future as for the present. He excommunicated the Abbot of Monte Casino, who showed signs of following in the line suggested by the letter of the Cardinals, and was accused of

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stirring up a disturbance in Rome. He excommunicated the King and Queen of Naples, and laid their land under an interdict. It is needless to say that the Neapolitan clergy stood in greater awe of Charles than of Urban, and the Papal thunders produced no effect beyond raising a persecution against such of the clergy as were suspected of being partisans of Urban; they were tortured, imprisoned, and some were even thrown into the sea. It was one horrible feature of the Schism that it called forth the spirit of persecution and intolerance as much as if some great principle had been at stake.

Siege of Nocera. 1385.

Charles III. had no longer any compunctions about proceeding against the Pope, and sent to the siege of Nocera the Constable of Naples, Alberigo da Barbiano, the condottiere general who six years before had secured Urban VI. in the Papacy by his victory at San Marino; since then his fidelity to Charles had won for him nobility and high office in the kingdom. Alberigo had no more scruples in attacking the Pope than if he had been a Saracen. The town of Nocera was soon taken, but the castle was on a steep rock and was well fortified; its outer wall was thrown down by bombardment, but the citadel remained impregnable. Three or four times a day the dauntless Pope appeared at a window, and with bell and torch cursed and excommunicated the besieging army. He issued a Bull freeing from ecclesiastical penalties all clergy who might kill or mutilate the partisans of Charles. Alberigo replied by a proclamation offering a reward of 10,000 florins to anyone who would bring the Pope alive or dead into the camp. Never had Pope used his ecclesiastical authority so profusely; never had Pope been treated with such contumelious contempt.

Yet Urban VI. still had friends, and Charles III. had foes. A fleet of ten Genoese vessels lay off the coast, to aid Urban if they saw an opportunity. Raimondello Orsini, son of the Count of Nola, who had been an adherent of Clement VII. and Louis of Anjou, was willing to sink his ecclesiastical in his political quarrel, and to help Urban against Charles. Taking under his command a band of mercenaries, he hastened to Nocera; but his mercenaries thought that they would gain more from Charles than from Urban. When the royal troops came out to meet them, they fled in pretended fear. Raimondello, finding himself deserted, dashed with furious courage through his enemies,

and with a few followers escaped into the castle. Meanwhile his traitorous soldiers succeeded in capturing the Pope's nephew, Butillo, who had unsuspectingly given them shelter in their flight. He was carried off a prisoner to Charles. Raimondello remained only long enough to concert measures with the Pope. By night he again made his escape through the besieging army, and went to summon the remnants of the army of Louis, which still remained under the leadership of Tommaso of Sanseverino. After this the blockade of Nocera was made more rigid. The arrival of the Abbot of Monte Casino in the royal camp inspired greater savagery into the war. All who were discovered approaching the castle, or trying to introduce supplies or letters, were cruelly tortured. A messenger of the Pope, who was taken prisoner, was hurled from a catapult and was dashed to pieces against the castle walls. Yet, even in his extremities, Urban VI. showed a touching solicitude for his successors; and framed a Bull for future occasions of Papal captivity, denouncing penalties on all resident within ten days' journey who did not hasten to succour a Pope, and promising to those who aided him the same indulgences as if they had gone on a crusade to the Holy Land.

Flight of Urban VI. from Nocera. July—August 1385.

Urban's troops were sorely pressed by famine, when at length, on July 5, Raimondello Orsini and Tommaso of Sanseverino broke through the camp of the besiegers and carried provisions into the castle. Two days afterwards they rescued the Pope with all his baggage, and the captive Cardinals, whom he refused to let go even in his flight. The horse on which one of them, the Bishop of Aquila, was mounted went lame, on which Urban ordered the Bishop to be put to death, and his corpse was left unburied by the roadside.[1] The royalist troops, who were not strong enough to prevent the escape, hung on the rear and harassed the retreat. The confusion that arose gave the Pope's deliverers an opportunity of pillaging his baggage, for the majority of the motley army consisted of Breton adventurers and the French soldiers of Louis, who looked with contempt on Urban as the anti-pope, and had no motive for rescuing him but a desire for gain. As they drew near to Salerno, a proposal was made to carry off Urban to

[1] Niem, *Schism*, i. 56.

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Avignon, and hand him over to Clement, unless he gave them money enough. The Germans and Italians had some difficulty in defeating this project, and Urban had to pay down 11,000 florins, and give his bond for 24,000 more. After this, it was thought wise to get rid of the French soldiers, and Urban, with 300 Germans and Italians, hurried on to Benevento.

During this retreat we feel that Urban VI. is in his proper sphere. Surrounded by a band of reckless ruffians, himself as reckless and as ruffianly as the worst of them, Urban showed courage equal to any danger, and his spirit was undaunted amidst all hardships. He made for Benevento, and when the inhabitants refused to receive him, he professed to lay aside his intention of going there, and then suddenly appeared before the gates and forced an entrance. Thither he summoned the captains of the Genoese galleys which were still anchored off Naples, and arranged with them that they should convey him to Genoa. He exacted from the Beneventans 1,000 florins, bestowed the rule of the city on Raimondello as a reward for his services, and then commenced his journey to the eastern coast, which still held for the Angevin party, and where the Genoese galleys were to meet him. Gobelin of Paderborn, who accompanied Urban in his flight, gives a vivid account of the sufferings experienced in crossing the Apennines in the full blaze of the fierce summer sun. For three months there had been no rain, so that the ground was parched up, and water was scarcely to be found; from before sunrise till after sunset the restless Urban pressed on, with only an hour's rest at mid-day. When at length the sea came in view, not far from Barletta, the sight was hailed by joyous blasts of the trumpets; but the galleys were not visible, and Barletta held for Charles III. They were obliged to make a circuit, and direct their weary steps towards Trani, with many an anxious glance over the waters. At length the longed-for sails were seen; with shouts of joy they hastened to the shore, and were picked up by the galleys on August 21. Their voyage was not without perils, but at last they landed in Genoa on September 23. The Genoese had not served Urban for nothing; they sent in a bill for their kind protection—the cost of ten galleys

for four months, which amounted to 80,000 florins.[1] Urban made over to them as payment the seaport town of Corneto, which lay in the Patrimony.

Urban VI. in Genoa. Sep. 1385—Dec. 1385

Though Urban VI. was in safety at Genoa, his haughty spirit did not relish a residence in a city where opinion was so freely expressed. The Doge, Antoniotto Adorno, was a man of large views and enterprising character, who soon showed the Pope that he was by no means ready to obey his behests. He wrote to the Emperor and to other princes, inviting them to co-operate with him in taking measures to end the Schism. The people of Genoa did not show the Pope the respect which he considered his due, and during his residence in Genoa, Urban never went beyond the precincts of the Hospital of St. John, where he had taken up his abode on landing.[2] Yet the ferocity of his temper was in no way abated. One day there appeared before him a crazy hermit—for crazy indeed he must have been to come on such an errand to such a man—a Frenchman, who claimed to have had a revelation from heaven that Clement was the true Pope; he charged Urban, as he loved the Church and valued his own salvation, to lay aside his office. Urban VI. was so amazed at this audacity, that he was driven to account for it by the supposition of diabolical instigation. Seeing a ring on the hermit's finger, an unwonted ornament, he assumed that it was the abode of the evil spirit. He asked, jokingly, to be allowed to look at it; and as soon as it was in his hand, ordered his attendants to seize the hermit and put him to torture. The poor wretch, of course, confessed that his pretended revelation was diabolic and not divine. The Pope wished to put him to death; but his Cardinals pleaded that the French King might take an unpleasant revenge on several of their relatives who were still in France. The hermit's head was shaved in mockery; he was compelled to take an oath of allegiance to Urban, and publicly to recant his words; at length he was allowed to go back to France.

After a residence of rather more than a year in Genoa, Urban

[1] Gobelin (*Cosm. Æt.* vi., ch. 80) gives us some interesting accounts of naval expenses in those days: every galley cost 2,000 florins a month, and carried 180 rowers and 50 bowmen, besides the necessary attendants.

[2] Stella, *Annales Genuenses*, in Mur. xvii. 1127: 'Quantum vero Januæ moram traxit nunquam de eo Sancti Joannis loco descendit, nisi cum se ab eadem urbe secrevit.'

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VI. received a courteous but decided hint, from the Doge, that he had better seek another place of sojourn;[1] the Genoese did not like his presence, and there were frequent tumults between them and the followers of the Pope. Before his departure the captive Cardinals were put to death, and buried in a stable, because the Pope no longer wished to be troubled by the custody of prisoners. One only was released—an Englishman, Adam Easton, who owed his safety to the special entreaties of King Richard II.[2]

Death of Charles III. of Naples. Feb. 1386.

At the end of his stay in Genoa Urban VI. saw a new opportunity for prosecuting his designs on Naples by the untimely death of King Charles III. No sooner had that adventurous prince freed himself from Urban than he plunged into new schemes of aggrandisement. The death of King Lewis of Hungary in 1382 left his kingdom to his daughter Mary, a girl of twelve years old, who was betrothed to Sigismund, second son of the Emperor Charles IV., a boy of fifteen. The regency was in the hands of the widowed Queen Elizabeth, whose preference for Nicolas Gara, one of the ministers of the late King, awoke the jealousy of the Hungarian barons. Wishing for a leader of revolt, they sent to Charles of Naples and offered him the Hungarian crown, and the ambition of Charles outweighed the promises which he had made to Lewis and prevailed over the entreaties of his wife. It would almost seem that Charles ordered his general to connive at Urban's escape from Nocera as being the simplest means of freeing himself from difficulties at home. No sooner was Urban fairly embarked on the Genoese galleys than Charles, with a few followers, hurried off to Hungary, where he found much dissatisfaction with the rule of women, and had no difficulty in gathering a strong party round him. At first he declared that he only came to pacify Hungary; but gradually he assumed to himself a kingly position. Elizabeth deemed it wisest to yield: in behalf of herself and her daughter she resigned the crown, and besought Charles to take it. But a reaction soon set in, and popular sympathy

[1] Sozomen Pistoriensis, *in Mur.*, xvi. 1130: 'Ferebatur quod a Duce honeste præceptum sibi fuerat discedere.'

[2] Baluzius, ii. 985, makes Adam Easton Bishop of London, and Niem calls him Bishop of Hereford; he held none of these offices, but was a canon of Salisbury, prebendary of Yetminster, and exchanged for a living in Norwich diocese in 1392. See Godwin, *De Præsulibus.*

arose for the dispossessed queens, who attended the coronation of Charles with tears streaming down their cheeks and eyes fixed on the tomb of the great Lewis, whose favours had been so soon forgotten, and whose wife and daughter had been so traitorously abandoned. Charles was naturally of a mild disposition, and every motive of policy combined to lead him to treat with kindness Elizabeth and her daughter, in the hopes of uniting the contending factions in the kingdom. Elizabeth used her opportunity, and plotted the death of Charles: she invited him to a conference, and managed that it lasted so long as to weary out the patience of Charles's Italian followers, who gradually dispersed. When Charles was thus left alone, Nicolas Gara drew near as though to take leave of the Queen; a man followed him, who, suddenly drawing his sword, aimed a blow at the head of the unsuspecting Charles. Though sorely wounded, Charles could still stagger from the room, but his attendants fled: he was a prisoner in the hands of Elizabeth and Nicolas Gara, and when his wounds showed signs of healing, he was put to death in prison on February 24, 1386.

Urban's designs on Naples. 1386.

The death of Charles III. again plunged the kingdom of Naples into confusion. The Angevin party, which had been powerless against Charles, raised against his son Ladislas, a boy of twelve years old, the claims of Louis II. of Anjou. The exactions of the Queen Regent Margaret awoke dissatisfaction, and led to the appointment in Naples of a new civic magistracy, called the Otto di Buono Stato, who were at variance with Margaret. The Angevins rallied under Tommaso of Sanseverino, and were reinforced by the arrival of Otto of Brunswick. The cause of Louis was still identified with that of Clement VII., who, in May 1385, had solemnly invested him with the kingdom of Naples. Urban VI., however, refused to recognise the claims of the son of Charles, though Margaret tried to propitiate him by releasing Butillo from prison, and though Florence warmly supported her prayers for help. Ordinary motives of expediency did not weigh with Urban VI., who still hoped to bring Naples immediately under himself by setting Butillo upon the throne. When he left Genoa he resolved to move southwards towards Naples, where he had hopes of acceptance from the Otto di Buono Stato.[1]

[1] Soz. Pist., 1130: 'Constituerunt sex Neapolitanos gubernatores Regni,

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Urban VI. at Lucca. Dec. 1386—Sep. 1387.

Urban VI. could not leave Genoa hurriedly, for it was difficult for him to find anywhere else to go. The Italian cities were not anxious for the expensive honour of entertaining a Pope of Urban's overbearing disposition. At last, after meeting with many refusals from other cities,[1] he prevailed on Lucca to receive him. On December 16, accompanied by twelve Cardinals, he left Genoa by sea and journeyed to Lucca; though he had promised the citizens of Lucca not to stay longer than fifteen days, he remained there till the following September. Things in Naples went badly for his plans; his refusal to recognise Ladislas necessarily tended to strengthen the party of Louis, which found in Otto of Brunswick a skilful general; the dissensions in the city of Naples between the Queen and the magistracy gave an opportunity for a successful attack. On July 8 Margaret was driven out of Naples, which fell into the hands of the Angevin party, and she had to take refuge in the impregnable Castle of Gaeta. Fierce vengeance was wreaked by the conquerors, who had personal, political, and religious differences to settle. Clement VII. gave the Papal permission to sell the gold and silver vessels of the Neapolitan churches as a means of providing pay for the soldiers. Though Urban VI. might not wish to see Ladislas established in Naples, still less could he wish to see there a king who owed his title to Clement. On August 30 he issued an encyclical letter, calling on the faithful to follow the banner of the Church in driving out the schismatics from Naples. But he had no notion of drawing nearer to Ladislas: on September 6 he appointed the Archbishop of Patras guardian of Achaia on behalf of the Church; Ladislas, through his father, had some claim to the succession, and Urban took, in the name of the Church, the heritage of an excommunicated heretic. Both these letters of Urban's were equally without effect: no army gathered at the Pope's command to invade Naples; the Church got no hold of Achaia.

Attempts of Florence to make peace. 1387.

The proceedings of Urban VI. created uneasiness in Florence. The Republic, in its wish for peace, strove to reconcile Urban

qui vocaverunt dictum Urbanum Papam, promittentes eum facere Dominum, si illuc iret.'

[1] Soz. Pist., 1130: 'Ad multas requisierat ire civitates, et nulla eum acceptavit nisi civitas Lucana.'

with the party of Ladislas: when Urban showed himself inexorable, the Florentines tried to make peace by other means. They sent an embassy to France, and proposed a reconciliation of the two factions in Naples by a marriage of Louis of Anjou with Giovanna, the sister of Ladislas. Their proposal came to nothing; but on their way home the ambassadors paid a visit to Clement VII. at Avignon, and were by him received with great respect. Urban's conduct, especially his execution of the captive Cardinals, awakened disgust throughout Europe. Clement was anxious, when he saw his rival's unpopularity, to submit his claims to a General Council. He sent an embassy to Florence to urge them to take a leading part in summoning a Council; but the Florentines were too entirely Italian to wish to help a Pope at Avignon: they answered that it was for kings and princes to summon Councils, not for them. They contented themselves with trying to neutralise the ill effects of Urban's presence in their neighbourhood; party spirit waxed high at Bologna, and a faction was desirous of calling in the Pope to their aid. Florence was afraid of the power of Gian Galeazzo Visconti of Milan, and feared lest the Pope should add another to the disturbing causes which were already at work.

Urban VI. at Perugia. Sep. 1387—Aug. 1388.

Events near Rome tended to call Urban southwards. On May 8 a powerful foe of Urban and of the Roman people, Francesco da Vico, was put to death at Viterbo. He was one of the most powerful and of the most cruel and oppressive amongst the tyrants who had made themselves masters of the States of the Church, and his death was the cause of great rejoicing to the Roman citizens. His relatives, however, were powerful; and the people of Viterbo, after slaying their tyrant, were driven to put themselves under the Papal protection, and receive as Papal legate Cardinal Orsini of Manupello. Encouraged by this success, Urban VI. began to draw nearer Rome, and on September 23 left Lucca for Perugia. The Florentines tried to persuade the Perugians not to receive him, and the Perugian magistrates so far listened to them that, when they met Urban VI. on his entry into their city, they urged on him a pacific policy, particularly towards Florence. Urban briefly answered that peace no doubt was a good thing, but he wanted the lands of the Church; it was not for them to dictate

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to him in his dealings with Florence. He hoped to have brought Perugia under his rule; but the Perugians showed no signs of submission, nor did they pay fitting respect to the nephew Butillo, who had grown no wiser by previous experience, and conducted his amours with a Perugian lady in such a way as to awaken the anger of her brothers, who laid in wait for the imprudent lover by night and ignominiously flogged him. The Pope was full of wrath at this insult to his favourite, but his wrath was directed to another quarter. On some trivial cause he recalled Cardinal Orsini from Viterbo; but the people held by the Cardinal, and refused to admit the new legate whom Urban sent in his place. Furious at this insult, Urban summoned Cardinal Orsini to Perugia, and could not await his arrival, but sent soldiers to arrest him on the way. This roused the anger of the Cardinal's brother, Cola Orsini, who seized upon the towns of Narni and Terni; Urban was driven to liberate the Cardinal and end this unprofitable quarrel.

Return of Urban VI. to Rome. Sep. 1, 1388.

But all this while the Pope's eyes were fixed on Naples, and he saw in the varying successes of the two contending parties and in the miseries of the land a means of asserting his own claims. He declared that the kingdom had lapsed to the Holy See, and even wrote from Perugia, on May 1, appointing a governor of Calabria. He laboured to gather together troops for an expedition into Naples, and called upon Sicily to provide him with ships and men in accordance with an old treaty which bound Sicily to furnish aid to Naples when it was in extreme peril; as rightful lord of Naples, Urban declared its peril to be extreme. All the soldiers that Urban could raise was a band of mercenaries, who, under the command of an Englishman, Beltot, had been ravaging Tuscany. On August 8, 1388, Urban VI. put himself at the head of this lawless company and departed from Perugia. He had not gone far before his mule stumbled and he fell: though so severely shaken that he had to be carried in a litter, he still refused to go to Rome, and continued his course to Naples. A hermit came to meet him on his way, and prophesied, 'Whether you will or no, you will go to Rome and there die.' The prophecy came true. At Narni his reckless soldiers began to doubt about their chances of receiving pay; the Florentines,

anxious to avert war, had made them tempting offers if they would enter their service, and they began to think that the money of Florence was surer than that of the Pope. Two thousand of them left him and went back to Tuscany. Though Urban was left with only two hundred men, he still went on his way to Ferentino. There he waited for reinforcements, but only a thousand men gathered round him. He saw that his expedition was useless, and gloomily retired to Rome, which he had not seen for five years. He was received by the Romans on September 1 with outward respect, but with suspicion and dislike. They insisted that he should send away the soldiers whom he had brought with him, and he was obliged to dismiss them to Viterbo.

Urban VI. proclaims a year of jubilee.

Yet Urban VI.'s mind was still set upon an expedition to Naples, and for that purpose money must be raised. He hit upon the happy expedient of hastening on the year of jubilee, which had been established by Boniface VIII., in 1300, as an anniversary to be held every hundred years, when pilgrims might visit Rome and gain indulgences by prayers at the graves of the Apostles. This jubilee had been found so profitable that Clement VI. enacted that it should be held every fiftieth year. Urban VI. went further, and ordered that the year 1390 should be a year of jubilee, and that henceforth it should be held every thirty-third year. Of course there were excellent reasons for this change: thirty-three was the number of the years of the Redeemer's life on this earth; it was also the duration of a generation of men, and gave all who wished it a fair chance of obtaining inestimable privileges. The proclamation of a jubilee was Urban's last desperate step to obtain supplies for his projected invasion of Naples. Meanwhile it gave him a powerful means of keeping in order the refractory Romans. Their city was desolate; they had suffered from the incursions of bands of plunderers of every sort; poverty, beggary, and famine were rife. Urban had even had to issue a decree forbidding the people to dismantle the empty palaces of the Cardinals that they might use the materials for building.[1] Rome

[1] Theiner, *Codex Diplomaticus Dominii Temporalis*, ii. 639, dated iii. Kal. Jan., 1384: 'Nonnulli tamen clerici quam laici . . . domos et palacia ad titulos sanctæ Romanæ ecclesiæ Cardinalium pertinencia invadere, seque in illis intrudere et ea occupare præsumpserunt et præsumunt—et non solum ea

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hailed with joy the promise of a jubilee, which would again bring crowds of pilgrims and make money flow into their beggared city. Urban saw and used his opportunity to strike a blow at the power of the magistracy, who, since his departure, had ruled the city. He appointed a senator by his own powers: the people rose in uproar and rushed clamorous to the Vatican. But the Papal excommunication again had power in Rome when anything was to be gained from the Papacy. In a few days the Roman magistrates, barefooted, in the garb of penitence, with ropes round their necks and candles in their hands, sought the Pope's absolution. Urban's indomitable spirit had still some ground to triumph before it passed away. He reduced to obedience the people of Rome, and he heard of the failure of an attempt made by his foe, Cardinal Pileo of Ravenna, to create a diversion in favour of Clement in North Italy. On August 25 Urban fulminated his anathemas against him as a child of wickedness. On October 15 he died in the Vatican, and was buried in the chapel of St. Andrew, whence his bones were afterwards transferred into the main church.

Death of Urban VI. Oct. 15, 1389.

Urban's pontificate is one of the most disastrous in the whole history of the Papacy. Many other Popes have been more vicious, but none showed less appreciation of the difficulties, the duties, the traditions of his office. The private vices of a man are known for certain only to a few, and entire incompetence, if a dignified exterior be preserved, may escape detection. But at a most critical moment in the history of the Papacy, when tact, discretion, and conciliatory prudence were above all things necessary, Urban VI. showed to his astonished adherents nothing save furious self-will, unreasoning ambition, and a wild savageness of disposition, which removed his actions from all possibility of calculation. He excited bitter hatred, all the more bitter because his followers could not choose but submit. Urban VI. was at the head of a party bound together by many different interests; but he was a necessary head, and men could not dispense with him if they would. Revolt against Urban meant acceptance of Clement, and all the political con-

collabi et ruere damnose permittunt, verum eciam columnas et lapides et trabes, lignamina, ferramenta et tegulas de ipsis domibus et palaciis surripientes et in proprios usus convertentes earum domorum destructionem accelerant.'

sequences which a Pope under French influence necessarily involved. Men followed Urban VI. in helpless terror and disgust, for his wild energy and ferocity prevented them from regarding him with contempt; only a man like Charles VI. of Naples, strong and unscrupulous as himself, could beat him back. Men said that he was mad, that his head had been turned by his unexpected elevation to the Papacy. In truth, Urban VI. is an example of the wild excesses of an adventurous spirit, which had been in early years repressed, but not trained by discipline. When he became Pope he wished to compress into a few years the gratification of the desires of a lifetime; he fancied that his office in itself afforded him the means of giving effect to his personal schemes and caprices. The traditions of the Papacy, the policy of his predecessors, the advice and the entreaties of his Cardinals, weighed equally little with him. His very virtues only lent intensity to the evil which he wrought; his personal uprightness, straightforwardness, and piety only tended to give strength to his pride and obstinacy. He was so confident in the rightness of his own opinion, that he regarded all advice with contempt; he was so determined to move directly to his end, that he never reasonably considered the difficulties in the way. He was so convinced that his cause was the cause of heaven, that he had no place for the hesitation or the wisdom of humility. He formed no large plans; he can scarcely be said to have had a policy at all. Being a Neapolitan by birth, he seems to have burned with desire to make his power felt in his native land. This he hoped to do by the mere assertion of the old claims of the Papacy, which he wished to use solely in the interests of his own family. His attempt would have been ludicrous if it had not been carried on with a fiery and passionate persistency that made it tragic. Still even in this attempt, unreflecting as it was, we see the beginnings of the obvious policy which the conditions of Italy forced upon the restored Papacy—the policy of founding itself upon a basis of temporal sovereignty, and taking place among the vigorous rulers who had sprung up in every part of Italy. Urban saw the need of this, and saw also that the end could only be reached by employing the Papal power to promote the Pope's relatives. The rash endeavours of Urban VI. are but a grotesque forecast of the subtler and more farseeing policy of his successors in the fifteenth century.

## CHAPTER II.

### CLEMENT VII.—BONIFACE IX.

### RELIGIOUS MOVEMENTS IN OXFORD AND PARIS.

### 1389–1394.

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Clement VII. wins the obedience of the Spanish kingdoms. 1380–1390.

In following the wild career of Urban VI. we have seen but little of his rival Clement VII. It would seem as if their elevation to the Papacy had transformed the characters of the two men. The high-born Robert of Geneva laid aside the reckless blood-thirstiness which marked him as a condottiere general, and adopted the stately decorum of the Papal office. The lowly Neapolitan bishop, Bartolommeo Prignano, disregarded the traditions of the Curia in which he had been trained, and plunged furiously into a career of military enterprise. In the peaceful retirement of Avignon, Clement VII. was free from the complications of Italian politics, and had none of the temptations to adventurous exploits which led Urban VI. astray. He could listen unmoved to the fulminations of his rival, and was concerned only with the ceremonial side of the Neapolitan contest—the investiture and coronation of the Angevin pretenders. Instead of struggling to win a kingdom for himself, he pursued the less adventurous task of gaining over to his obedience the kingdoms of the Spanish peninsula. At first they had stood aloof from the strife of rival Pontiffs; but in 1380 the necessities of a close alliance with France urged John I. of Castile, who had come to the throne in 1379, to recognise Clement VII. John I. was the son of Henry of Trastamare, who, in spite of the arms of the Black Prince, had ousted Peter the Cruel from the Castilian throne. But Peter's daughter Constance had been married to John of Gaunt, Duke of Lancaster, who, in right of his wife, claimed Castile for him-

self. This struggle was necessarily part of the great struggle between France and England which occupies so much of the history of the fourteenth century. While English troops were ready to fight against John's throne, it was the interest of France to help him, and he was bound to draw near to France in all political matters. Yet the recognition of Clement was done with all due decorum, so as to be impressive to the rest of Europe. In November 1380, John ordered a council to be held at Medina del Campo, in the diocese of Salamanca, for the purpose of enquiring into the claims of the two Popes: Urban's cause was pleaded by the Bishops of Faenza and Pavia; Clement's by a Spanish Cardinal, Peter de Luna, a keen and shrewd man of the world, whose Spanish birth gave him many advantages in the discussion. Many were the sittings of the Council, lengthy the speeches of the advocates, bulky the statements sent by the two Popes, and enormous the mass of depositions by which they each substantiated their claims. The Council sat from November 1380 till March 1381, and then declared for Clement, who by this adhesion of Castile won a decided triumph over his rival. Urban had submitted his claims to a tribunal which professed to weigh the matter carefully, and then gave judgment against him. So far as conciliar action had gone, it had been in favour of Clement. Of course Urban declared John of Castile deposed, and handed over his kingdom to the Duke of Lancaster, who more than once led an English army into Castile; but, though helped by Portugal, he found the strife hopeless, and in 1390 made peace with John, and gave his daughter Katharine in marriage to the heir to the Castilian throne.

In Aragon the ambitious and grasping Peter IV. was willing to recognise Urban, if the Pope would invest him with Sicily, where he was trying to assert his claims to the throne, and would gratify his cupidity by further concessions. It is to Urban's credit that he refused the terms offered: indeed, Urban's haughtiness and self-confidence were too great to purchase recognition by unworthy means. Peter accordingly acknowledged neither Pope; but his successor, John I., listened to the persuasions of Peter de Luna, followed the example of Castile, and immediately on his accession in 1387 acknowledged Clement. Three years later, in 1390, Charles III. of Navarre, again at the instigation

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of the indefatigable Peter de Luna, joined the Kings of Castile and Aragon in their recognition of Clement. Following on the stormy and disastrous reign of Charles the Bad, he pursued a peaceful policy of alliance with his neighbours, and so wished to avoid the difficulties of ecclesiastical differences.

lement VII. and the University of Paris.

In the peace of Avignon, however, Clement VII. had to face a theological power, from whose influence his rival was free. One of the results of the Papal residence at Avignon had been an increase of the reputation of the University of Paris as the fountain of theological learning. The University, by becoming the seat of philosophical teaching, had in the twelfth and thirteenth centuries given organised expression to the beliefs and opinions on which the Papal power was based, and in close alliance with the Papacy had grown in importance. Many of its sons became Popes, and showed due gratitude to their nursing mother by increasing her privileges and extolling her glory. Alexander IV. spoke of the University of Paris as 'the tree of life in Paradise, the lamp of the house of God, a well of wisdom ever flowing for souls that thirsted after righteousness.' With such a reputation, and supported by the national pride of the French people, it was but natural that this powerful corporation of learned theologians should be reckoned as superior in theological matters to the Popes at Avignon, who were content to register rather than mould its decrees. When John XXII. held a different opinion from the University about the condition of departed souls after death, he narrowly escaped being branded as a heretic. On the outbreak of the Schism, motives of political interest had outweighed the scruples of canonists, and the French King had acknowledged Clement VII. without heeding the hesitation of the University. Yet a slight experience of the evils of the Schism revived the power of the University, and gave practical emphasis to its warnings. Clement VII. had to procure revenues for himself and his Cardinals chiefly at the expense of the French Church. Thirty-six proctors of the Cardinals ranged like harpies through the land, enquiring into the value of abbeys and benefices, and ready on a vacancy to pounce upon them for their masters. Every post of any value was reserved for the Papal officials, and the goods of prelates were seized at their death for the

Pope's use.[1] The native clergy saw that they would soon be reduced to hard straits, the University dreaded the loss of its share of ecclesiastical patronage, and thoughtful men saw with sorrow the neglect of all spiritual functions which such a state of affairs must necessarily produce in the Church. Already, on the death of Charles V., in September 1380, there were hopes that under the new rule something might be done to heal the schism, and the University laid before the Regent, Louis of Anjou, a proposal for summoning a General Council. But Louis was bound to Clement VII. by the exigencies of his Neapolitan policy, and answered the petition of the University by throwing its representatives into prison, whence they were not released till they had promised to lay aside their proposal of a Council. Still the University did not give up its project, though political necessities prevailed against it for a time.

Theological controversy within the University of Paris. 1387–1389.

In the course of a few years a conflict arose within the University itself which led it to submit to the Pope's decision a disputed question of doctrine. Its orthodoxy received a shock in 1387 by the opinions of a Dominican, Jean de Montson, who asserted the view held by his Order that the Virgin Mary was conceived in original sin. The reverence paid to Mary had led to attempts to define and determine the exact limits of her holiness. S. Bernard had declared that she had been free from sin during her lifetime; but popular devotion demanded more than this, and S. Thomas Aquinas had found it necessary to argue against the notion of an immaculate conception. The Dominican Order had followed their great teacher; but the opinion of Duns Scotus, which was followed by the Franciscans, was more popular, and asserted the fitness and possibility of the belief that the Virgin had not been conceived in sin. The question had gradually developed into being one of importance, and the two parties were in opposition to one another. The University as a body sided with the Franciscan view, and Montson's teaching was regarded as a challenge. A commission was appointed to look into his opinions, which were unanimously condemned.[2] Montson appealed to Clement, and a

[1] *Religieux de S. Denys*, bk. ii., ch. 2.

[2] The following are the two chief propositions of Montson, with their condemnation (Bulæus, iv. 620):—

'I. Asserere aliquod verum quod est contra sacram scripturam est expres-

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deputation headed by Peter of Ailly, who was accompanied by his pupil Jean Gerson, was sent to plead the views of the University at Avignon. Clement's position towards this question was uncomfortable; on the side of Montson was the authority of Aquinas, who had been recognised by Pope Urban V. as an authoritative teacher of Christian truth. Clement must either set aside the declaration of a previous Pope, and so give his rival the opportunity of impeaching his own orthodoxy, or he must oppose the favourite doctrine of the University, and go counter to the popular opinion of France. Clement did not immediately pronounce on the matter, but Montson's flight into Aragon and adhesion to Urban decided Clement against him; in January 1389 he condemned Montson's opinions, to the delight of the University and the people of France. Clement VII. thus took an important step in the formation of the opinion of the Church, though it was not till 1854 that the views of Ailly and of the University of Paris were raised to the dignity of a necessary dogma. Still the quarrel lasted within the University; no one was admitted to a degree who did not assent to the condemnation of Montson's propositions; the Dominicans were for a time forbidden to lecture, and it was not till 1403 that a reconciliation was brought about and the Dominicans reluctantly submitted.

Election of Piero Tomacelli, Boniface IX. Oct. 1389.

Urban VI. died on October 15, 1389. On October 30, in the Court of Avignon, Clement VII., with great pomp, crowned Louis II. of Anjou as King of Naples. The French King lent his presence to the ceremony, which was thus a declaration of the political strength of the Pope at Avignon. There were hopes that with the death of Urban VI. the Schism might be ended by the universal recognition of Clement VII. Such, however, was not the idea of the fourteen Cardinals of Urban VI. who were at Rome; they lost no time in going into Conclave, and elected a Neapolitan Cardinal, Piero Tomacelli, who was enthroned on November 2, 1389, and took the title of Boniface IX. Tomacelli was tall and of commanding appearance,

sissime contra fidem. *Condemnatur revocanda tanquam falsa et injuriosa sanctis et doctoribus, si eam intelligit universaliter, prout in probatum ejus videtur prætendere.*

'II. B. Mariam Virginem et Dei genetricem non contraxisse peccatum originale est expresse contra fidem. *Revocanda tanquam falsa, scandalosa, præsumptuose asserta et piarum aurium offensiva.*'

in the prime of life, being only thirty-three years old. He was not a scholar, nor a student, nor was he even versed in the ordinary routine of the business of the Curia. His secretary, Dietrich of Niem, sighs over his ignorance and heedlessness of the formalities in which the official mind especially delights.[1] The College of Cardinals was not strong, and it was clear that he who was elected Pope would have no easy task before him. Tomacelli's vigour and prudence were well known, and his life was free from reproach; contemporaries tell us, with wonder, that no suspicion of unchastity ever attached to him. The Cardinals, smarting under the indignities of the rule of Urban VI., chose a successor of whose affability they were sure, and whom they believed to possess the force of character necessary to rescue the Papacy from the disastrous results of Urban's wrongheadedness. On his return from his enthronisation, Boniface IX.'s answer to those who congratulated him was, 'My joy is your joy.'

Conciliatory measures of Boniface IX.

Boniface IX. lost no time in showing that his spirit was different from that of Urban. He restored to his position as Cardinal the luckless Englishman Adam Easton, the sole surviving victim of Urban's tyranny; and this conciliatory act bore its fruit in the return of the runaway Pileo of Ravenna, who, after being first a Cardinal of Urban VI. and then of Clement VII., was again received by Boniface IX. The Italians made merry over the turncoat, and gave him the nickname of the Cardinal di Tricapelli—the 'Cardinal of three hats.' A pious adherent of Clement expresses a devout hope that his ambition and wantonness might be rewarded hereafter by a fourth hat of red-hot iron.[2]

If Boniface IX. thus wished to show his freedom from the personal quarrels of his predecessor, he was equally anxious to reverse his political measures. He saw the hopelessness of Urban's opposition to Ladislas of Naples; he saw that a powerful vassal king in Naples was the necessary support of the Papacy at Rome. Accordingly he lost no time in recognising Ladislas, who, in May 1390, was solemnly crowned King of

[1] *De Schism.* ii. 6: 'Supplicationes sibi porrectas signavit ac si nunquam fuisset in Romana Curia institutus, nec quæ petebantur in ipsis intellexit, et propositiones factas coram eo per advocatos in ejus consistorio toto tempore sui Pontificatus non intelligens ad petita nimis confuse respondit.'

[2] Baluze, *Vitæ Pap. Av.* i. 524.

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Naples by the Florentine bishop, Angelo Acciaiuoli, who was sent as Papal Legate for the purpose. Boniface had the political wisdom to perceive at once that the first object of Papal policy must be to secure a firm territorial basis in Italy itself. He exchanged the wild schemes of Urban for a statesmanlike plan of establishing the Pope's power in Rome, and of gathering together again the scattered States of the Church.

The Jubilee of 1390.

But this was no easy task, and it required above all things money for its accomplishment. The whole nature of Boniface seems to have been devoted to attempts to gather money, and to this he turned all the power and privileges of his ecclesiastical position. Urban VI. had grievous faults, but he was not extortionate; his determination to root out the abuses of the Curia was the chief cause which provoked against him the hatred of the seceding Cardinals. Yet Urban had felt the pressing need of money, and had proclaimed the Jubilee for 1390; and it was the luck of Boniface to enter at once into the enjoyment of the revenues which this source of income provided. Pilgrims flocked from Germany, Hungary, Poland, Bohemia, and England, and the Papal treasury was enriched by their pious offerings. So satisfied was Boniface with the results, that he was unwilling to deprive anyone of the indulgences which were so precious both to himself and them. He extended the privileges of the Jubilee to those who visited the churches of many cities in Germany, provided they extended helping hands to the Papal needs. Köln, Magdeburg, Meissen, Prag, and Paderborn, were in turns the objects of the Papal generosity, and to each of them Papal collectors were sent who received the tribute of the faithful.[1] So lucrative was this proceeding found, that unaccredited agents of the Pope took on themselves to sell indulgences, and the scandal was so great that the Pope was obliged to appoint commissioners to restrain these impostors.

Boniface IX. recognises the dynasties within the Papal States.

The money which Boniface raised by the Jubilee was needed for the help of Ladislas in Naples, where Louis of Anjou had landed in August 1390. The party of Ladislas was feeble, and all the Pope's aid was necessary to supply him with resources sufficient to enable him to make head against his more wealthy rival. Boniface did not scruple to alienate or mortgage Church

[1] Gob., *Cosm.* vi. 86.

lands to raise supplies. He took also an important step of selling to the nobles who had risen to power in various cities of the Patrimony the title of Vicar of the Roman Church. In this Boniface showed his wisdom. He recognised the existing state of things, which he had no power of preventing, and was paid for his recognition. Moreover, his recognition was in the nature of a limitation. The authority which had been gained by the nobles was irregular and indefinite; it had grown up of its own accord, and might have developed unchecked. The Pope conferred upon them a title and an authority for a limited period, from ten to twelve years, and received in return a sum of money paid down, and a small yearly tribute. When the authority of these Papal vicars had once been defined, it could be altered or suspended according as the Pope was powerful. It was a wise act on the part of Boniface, in the midst of all the difficulties and necessities of his position, to adopt a scheme which filled his coffers, diminished the number of his foes, and gave him a standing ground from which to proceed against them when opportunity offered. Yet the tendency towards dismemberment of the Papal States was strong; and the dynasties whose rights were now recognised remained for more than a century to disturb the Popes. Antonio of Montefeltro was made Vicar of Urbino and Cagli, and Astorgio Manfredi of Faenza. The Alidori ruled at Imola, the Ordelaffi at Forli, the Malatesta at Rimini, Fani, and Fossombrone; Albert of Este at Ferrara. Bologna, Fermo, and Ascoli bought similar privileges for their municipal bodies. Not since the days of Albornoz had the Papal lordship been so widely acknowledged in the States of the Church.

Resistance to the Papacy in England.

Boniface could raise money in Germany and Italy, but he found it more difficult to do so in England, where neither religious nor political feeling was strong on the side of the Pope. The old resistance to Papal exactions had gained additional weight when the Pope at Avignon was clearly on the side of the national foes. At the outbreak of the Schism, England had set herself on the side opposite to France, but had no interest in specially maintaining the cause of the Pope at Rome. The policy of national opposition to the extortions of the Papacy gathered still greater strength after the enactment of the Statutes of Provisors and Præmunire, and this national spirit

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soon found an exponent who raised the question of resistance to Rome above the level of a mere struggle against extortion.

John Wyclif at Oxford. 1340–1365.

The destruction of the ecclesiastical system by the Popes, and the disastrous results of the Schism, gave rise to a movement within the University of Oxford, which went deeper than the corresponding movement in the University of Paris. While the theologians of Paris, accepting the Papal system, set themselves to find a practical method of healing its breaches and restoring its unity, there arose in Oxford a follower of William of Occam, who advanced to a criticism of the foundations of the ecclesiastical system itself. From a little village near Richmond, in Yorkshire, John Wyclif went as a student to Oxford, where his learning and ability met with their reward in a Fellowship at Merton, the Mastership of Balliol, and the Wardenship of Archbishop Islip's new foundation of Canterbury Hall in 1365. In this last position, Wyclif was engaged in the struggle that continually was waged between the monks and the secular clergy; each party strove to possess themselves of the endowments of the Hall, and the monks, aided by Archbishop Langham, Islip's successor, and by the Pope, succeeded in dispossessing Wyclif and the secular clergy.[1]

Refusal of tribute by England to Pope Urban V. May 1366.

In 1366 Wyclif first was brought into relation with public affairs. Pope Urban V. was unwise enough to add another to the causes of England's discontent by demanding payment of the 1,000 marks which John had agreed to pay yearly as tribute to the Pope. Since the accession of Edward I., this tribute had not been paid; and when Urban V. demanded arrears for the past thirty-three years, Edward III. referred the matter to Parliament. Lords, prelates, and Commons unanimously answered that John had not the power to bind the people without their consent, and that his compact with the Pope had been a breach of his coronation oath; they placed at the King's disposal all the power and resources of the nation to protect his throne and the national honour against such a demand. Urban V. withdrew his claim in silence, and no mention was ever made again by

[1] Dr. Shirley, in a note to *Fasciculi Zizaniorum*, p. 513, has stated the arguments in favour of supposing that the Fellow of Merton and Warden of Canterbury Hall was another person. The arguments, however, are not convincing; see Lechler, *Johann Wiclif*, i. 294; also Lorimer's notes in his English translation of Lechler, i. 185; and an article in the *Church Quarterly Review*, Oct. 1877.

the Papacy of suzerainty over England. On this occasion Wyclif first used his pen, by recording in a pamphlet the arguments used in Parliament by seven lords, who, on the grounds of national interest, positive law, feudal obligation, and the nullity of the compact made by John, combated the Papal claims.[1]

Ministry of John of Gaunt. 1371–1375.

In the later years of Edward III., England was impoverished by the long war with France, and discontented at the management of affairs. In 1371 laymen were substituted for ecclesiastics in the high offices of state, and hope was strong that the lay ministry, headed by John of Gaunt, besides bringing the French war to a speedy end, would protect the nation against the extortions of the Roman Curia.

But the Ministry soon showed its feebleness by its dealings with Arnold Garnier, who, in February 1372, presented himself in England as the accredited agent of Gregory XI. The Council did not venture to forbid his presence, but contented themselves with administering to him an oath that he would do nothing injurious to the King, the realm, or the laws. We do not find that Garnier, in consequence of his oath, behaved in any way differently from other Papal collectors, and Wyclif afterwards pointed out that he must necessarily commit perjury, as no diminution of the country's wealth could fail to be pernicious to the kingdom.[2] But Wyclif soon had an opportunity of seeing close at hand the management of affairs by the Curia. In 1374 he was appointed one of seven commissioners who were to confer with Papal nuncios about the redress of England's grievances at Bruges, where a conference was being held to arrange terms of peace with France. The commission arrived at no results, except that the Chief Commissioner, the Bishop of Bangor, soon after his return home, was translated by Papal provision to the more lucrative see of Hereford, as a recompense for his readiness to do nothing. Gregory XI. issued, it is true, six lengthy Bulls which dealt only with existing circumstances, and laid down no principles for the future. The rule of John of Gaunt did nothing for England, and the 'Good Parliament' of 1376 set aside his power, and again committed

[1] Lewis, *Life of Wyclif*, Appendix, No. 30.

[2] In a MS. tractate, *De Juramento Arnaldi*, written in 1377. See Lechler, *Johann Wiclif*, i. 340, &c.

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the government to William of Wykeham, Bishop of Winchester, an experienced official.

Proceedings against Wyclif. 1377.

The antagonism of political parties waxed high in these last years of Edward III., when his glory and his power alike had passed away. John of Gaunt was unscrupulous in his desire for power, and was opposed to the prelates whose political influence stood in his way. He sought allies against them on all sides, alike in the Roman Curia and in the energetic party which gathered round Wyclif's aspirations for a reformed Church. The prelates were not slow to retaliate, and aimed a blow at John of Gaunt by striking Wyclif, who in February 1377 was summoned to appear before Convocation, in the Lady Chapel of S. Paul's, and answer for his opinions. He came, but the Duke of Lancaster stood by his side, and the assembly ended in a faction fight between the Londoners and the adherents of John of Gaunt. But the prelates were prepared to move against Wyclif under cover of the Papal authority, if their own power was thus defied. In May 1377, Pope Gregory XI. issued five Bulls against the errors of Wyclif, who was accused of following in the steps of Marsiglio of Padua and John of Jandun, whose writings had already been condemned. Wyclif was already famous as a philosopher and a theologian; nineteen propositions taken from his writings were condemned by the Pope as erroneous, and two prelates were appointed to examine if the condemned propositions were rightly assigned to Wyclif.

Wyclif's theory of dominion.

The propositions in question were concerned with theories of civil and ecclesiastical polity. They asserted that the rights of property and of inheritance were not unconditionally valid, but depended on obedience to the will of God; that the property of the Church might be secularised if the Church fell into error or the clergy misused their possessions, on which points temporal princes might judge; that the Pope's power to bind and loose was only valid when used in accordance with the Gospel. Wyclif's teaching on the relations between Church and State lacked the precision as well as the political knowledge which characterised Marsiglio of Padua. Marsiglio was a political philosopher who started from Aristotle and from the experience of a self-governing civic community: Wyclif was a schoolman who limited his analysis to the particular discussion of the foundation of *dominium*, or lordship, and his political

conceptions did not rise beyond the technicalities of the feudal system. He regarded God as the lord of the world who apportioned to all in authority their power, which was held under Him; dominion in things temporal and spiritual alike was held of God, and popes and kings were bound to recognise that their sovereignty depended upon its exercise in accordance with the law of God. Mortal sin was a breach of the tie of allegiance, and in itself destroyed the basis of power: in Wyclif's phraseology, 'dominion was founded on grace.' This theory was no doubt an ideal theory, which Wyclif did not wish to apply to the subversion of social order, and to remedy its abstractness he enunciated in a paradoxical form the duty of obedience to existing authority; 'God,' he said, 'ought to obey the devil.' God has permitted evil in the world; a Christian ought to obey the commands of a wicked ruler, in the same sense as Christ obeyed the devil, by submitting to his temptations. In his political theories Wyclif was neither clear in his analogies nor happy in his phraseology, and we can scarcely wonder that he was misunderstood and misrepresented. His political teaching easily lent itself to anarchical movements, and his followers in later times laboured under the disadvantage of having no clear basis on which to bring their ideas into relation with the actual facts of political life.[1]

Before the arrival of the Pope's Bulls ordering Wyclif's trial, Edward III. died, and the first parliament of Richard II. was strongly opposed to Papal exactions. It raised the question whether in time of need the king might prohibit the exportation of money in spite of the Pope's admonitions. Wyclif's opinion was asked, and on the three grounds of the law of nature, the law of scripture, and the law of conscience, he replied in the affirmative. The prelates could not take action on the Pope's Bull before the end of 1377, and when Wyclif was summoned before Archbishop Sudbury and Courtenay, Bishop of London, the Council did not think it wise that the trial should proceed; a message was sent by the Princess of Wales, mother of the

[1] This view of Wyclif's teaching I have taken from Shirley, Introduction to *Fasciculi Zizaniorum*, p. lxii. &c. In the absence of an edition of his writings, *De Dominio Civili* and *De Dominio Divino*, it is difficult to form a just opinion of Wyclif's political ideas; it is to be regretted that Lechler has not given a more explicit account of these works when he had the MSS. in his hands.

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young King Richard II., ordering the trial to be broken off; and the cries of the people round the Court admonished the prelates to obey the command. The proceedings against Wyclif were suspended, but for form's sake he was forbidden to promote or teach any of the doctrines condemned by the Pope. The death of Gregory XI. and the Schism that ensued put aside the question of Wyclif's further trial.

Wyclif attacks the Papal Primacy. 1378–1380.

But the Papal prosecution and the events of the Schism had an important influence on the mind of Wyclif. At first he had been chiefly an Oxford student, of keen critical intellect, ready to give expression with remorseless logic to the national dislike of Papal extortion. But his political experience at Bruges, his riper study and reflection, his deeper knowledge as vicar of Lutterworth of the spiritual needs of simple folk—all these combined to lead him on to investigate the inner working, as well as the political aspect, of the ecclesiastical system, the mechanism and doctrines of the Church as well as the relations between Church and State. To this temper the outbreak of the Schism gave an additional impulse. The spiritual earnestness of Wyclif was shocked at the sight of two men each claiming to be head of the Church, and each devoting his entire energies to the destruction of his rival, seeking only his own triumph, and doing nothing for the flock which he professed to guard. Moreover, the Schism dealt a heavy blow at the influence exercised on the imagination of the Middle Ages by the unity of the Church. Instead of unity Wyclif saw division—saw the Pope whom England professed to follow sinking to the level of a robber chieftain. Gradually his mind became dissatisfied with the doctrine of the Papal primacy. At a time when two Popes were fulminating excommunications against each other, and each called the other 'Antichrist,' it was not such a very long step for Wyclif to take when he asserted that the institution of the Papacy itself was the poison of the Church; that it was not Urban or Clement who was antichrist, but the Pope, be he who he might, who claimed to rule the universal Church.[1] As Wyclif's opinion led him more and

[1] See the quotations in Lechler, i. 483, from a MS. sermon: 'Breviter totum papale officium est venenosum; deberet enim habere purum officium pastorale, et tanquam miles præcipuus in acie spiritualis pugnæ virtuose procedere, et posteris, ut faciant simpliciter, exemplare. Sic enim fecit

more to oppose the Papal system his zeal increased. Disciples gathered round him, and, like another S. Dominic, Wyclif sent forth preachers into the evil world; but, unlike the reformers of the thirteenth century who went forth as missionaries of the Papal power, those of the fourteenth denounced a corrupt hierarchy and the enslavement of the Church by an antichristian Pope. Moreover, to supply all men the means of judging for themselves, Wyclif and his chief disciples, with dauntless energy, undertook the noble work of translating the Bible into English, a work which was finished in the year 1382.

Wyclif's theory of the Church.

Wyclif was at all times of his career a fertile writer, and may in this respect be compared with Luther. It was natural for him to cast into a literary form the thoughts that passed through his mind, and his works are alternately those of a scholastic disputant, a patriotic Churchman, and a mission priest. In all things he was equally earnest, whether it was to maintain the constitutional rights of the English Church and the English ruler against the extortions of Rome, to expose the assumptions of the Papal monarchy, to show the corruptions of the ecclesiastical system, or to kindle the spiritual life of simple folk. His treatises are numerous, and many of them exist only in manuscript. It is difficult to reduce into a system the multitudinous utterances of one who was at once a profound theologian, a publicist, and a popular preacher. In matters of ecclesiastical polity, as in political speculations, Wyclif laid down a basis which was too abstract and too ideal to admit of application to actual affairs. He defined the Church as the corporate body of the chosen, consisting of three parts: one triumphant in heaven, another sleeping in purgatory, and a third militant on earth. This view, which in itself accords with the Augustinian doctrine of predestination, Wyclif applied to determine the basis of ecclesiastical polity. Against the corrupt Church which he saw around him he set up the mystical body of the predestinated, against a degenerate hierarchy, he asserted the priesthood of all faithful Christians, and

Christus in humilitate et passione, et non in sæculari dignitate vel ditatione. Et hæc ratio, quare versi sunt in lupos, et capitaneus eorum sit diabolus vita et opere antichristus.' If Wyclif's language is violent, it must be remembered that he had the example of Papal Bulls.

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did not clearly determine the relations between the visible Church on earth and the great company of the saved.

Wyclif's view of the Papal primacy.

From the basis of this ideal conception of the Church Wyclif attacks the Papal primacy. There ought, he says, to be unity in the Church militant, if it is to be at unity with the Church triumphant; but unity is disturbed by new sects of monks, friars, and clergy, who have set over the Church another head than Christ.[1] The primacy of S. Peter, on which they rest their theory of the Papacy, is set forth in Scripture only as depending on his superior humility; he exercised no authority over the other Apostles, but was only endowed with special grace. Whatever power Peter had, there is no ground for assuming that it passed to the Bishop of Rome, whose authority was derived from Cæsar, and is not mentioned in the Scriptures, save in irony, where it is written, 'The Kings of the Gentiles exercise lordship over them, but ye shall not be so.'

It must have been at the instigation of a malignant spirit that the popes chose as the seat of the Curia the profane city of Rome, steeped in the blood of martyrs; by continuing in their secular life, and in the pride of Lucifer, they wrong Christ and continue in error. They claim to grant indulgences and privileges beyond what was done by Christ or the Apostles, and their pretensions can only be explained as the work of the devil, the power of Antichrist. A pope is only to be followed so far as he follows Christ; if he ceases to be a good shepherd, he becomes antichrist; and reverence paid to antichrist as though he were Christ is a manifest snare of the devil to beguile unwary souls; and the belief in Papal infallibility is contrary to Scripture, and is a blasphemy suggested by the devil. If we take Scripture as our guide, and compare the Pope with Christ, we shall see many differences. Christ is truth, the Pope is the origin of falsehood; Christ lived in poverty, the Pope labours for worldly wealth; Christ was humble and gentle, the Pope is proud and cruel; Christ forbade that anything be added to His law, the Pope makes many laws which distract men from the knowledge of Christ: Christ bade His disciples go into all the world and preach the Gospel, the Pope lives in his palace and pays no heed to such command;

[1] I am here giving an abstract of Wyclif's treatise, *De Christo et suo adversario Antichristo*, edited by Buddensieg. Gotha. 1880.

Christ refused temporal dominion, the Pope seeks it; Christ obeyed the temporal power, the Pope strives to weaken it; Christ chose for His apostles twelve simple men, the Pope chooses as cardinals many more than twelve, worldly and crafty; Christ forbade to smite with the sword and preferred Himself to suffer, the Pope seizes the goods of the poor to hire soldiers; Christ limited His mission to Judæa, the Pope extends his jurisdiction everywhere for the sake of gain; Christ was lowly, the Pope is magnificent and demands outward honour; Christ refused money, the Pope is entirely given up to pride and simony. Whoso considers these things will see that he must imitate Christ and flee from the example of antichrist.

These are the words of a man who has been driven by the actual facts around him to take refuge in the plain words of Scripture, and flee from the corruption of the ecclesiastical system to the purity and simplicity of the Divine Head of the Church.

Wyclif attacks Transubstantiation. 1381.

But Wyclif was not content only with this endeavour to bring back the organisation of the Church to its original purity; his keen critical intellect pressed on into the region of doctrine, and attacked the central position of the sacerdotal system. He busied himself with an examination of the sacraments, and convinced himself in 1380 that the doctrine of Transubstantiation, or the change in substance of the elements of the Eucharist after consecration, was not according to Scripture. He lost no time in publishing his convictions. In the summer of 1381 he put forth twelve propositions about the Eucharist, which he offered to defend in disputation against all gainsayers. The upshot of these propositions was the assertion that bread and wine remained after consecration bread and wine as they were before, yet by virtue of the words of consecration contained the true body and blood of Christ, which were really present at every point of the host.

Wyclif did not deny the real presence of Christ in the elements; he denied only the change of substance in the elements after consecration. Christ's body was still miraculously present,[1]

[1] See a passage from the treatise, *De Incarnatione*, quoted by Shirley, *Fasc. Ziz.*, p. lxi.: 'Illa autem non fit corpus Christi, sed fit signum signans nobis ineffabiliter quod ad omne punctum sui sit sacramentaliter corpus Christi, et comitanter anima sua et omnia alia Christi accidentia.'

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but the miracle was wrought by Christ Himself, not by the words of the priest. 'Thou that art an earthly man,' he exclaims to the priest, 'by what reason mayest thou say that thou makest thy Maker?'[1] 'Antichrist by this heresy destroys grammar, logic, and natural science; but, what is more to be regretted, does away with the sense of the Gospel.'[2] 'The truth and the faith of the Church is that, as Christ is at once God and man, so the Sacrament is at once the body of Christ and bread —bread naturally and the body sacramentally.'[3] He rebelled against the idolatry of the mass, against the popular materialism, against the miraculous powers claimed by the priesthood; and his propositions were aimed against the root of these abuses, not against the conception of the Sacrament of the Altar in itself. He attacked the prevalent materialism without pursuing the other aspects of the question.[4]

Condemnation of Wyclif's opinions by the University, 1381; by the Archbishop, 1382.

The propositions of Wyclif about the Sacrament of the Altar at once attracted much attention, and gave a shock to many who had hitherto sympathised with him in his opposition to Papal aggression and clerical corruption. He had advanced beyond the discussion of ecclesiastical polity to the more dangerous ground of doctrine, and the professed theologians, especially those of the mendicant orders, who had hitherto looked on Wyclif with approval, felt themselves bound to oppose him. The Chancellor of the University of Oxford summoned a council of doctors, who concurred in declaring the doctrines contained in these theses to be unorthodox, and a decree was published forbidding them to be taught within the University. This was entirely unexpected by Wyclif, who was sitting in his doctor's chair in the school of the Augustinians, lecturing on the very subjects when an official entered and read the decree. Wyclif at

[1] Wycket, p. 16.

[2] *Trialogus*, iv. ch. 5.

[3] *De Eucharistia*, quoted by Lechler, *Johann Wiclif*, i. p. 638.

[4] This point is so often regarded as one chiefly concerned with reverence or logical statement, that there is a tendency to forget the results of the material conception of Transubstantiation. I may refer to No. 99 of the *Cent Nouvelles Nouvelles* for an illustration of the mediæval view. A bishop cannot get fish for dinner on Friday, so he eats a partridge, and says to his abashed servant, 'Tu sçais et congnois bien que par parolles moy et tous les aultres prestres faisons d'une hostie, qui n'est que de bled et d'eaue, le precieux corps de Jhesu-Christ; et ne puis je donc pas, par plus forte raison, savoir par paroles faire convertir ces perdrix, qui est chair, en poisson, jasoit ce qu'elles retiennent la forme de perdrix?'

once protested against its justice, and appealed from the Chancellor to the King. John of Gaunt interfered to impose silence on Wyclif, and events themselves declared against him. The peasants' rising under Wat Tyler, the murder of Archbishop Sudbury, and the hatred against wealth displayed by the insurgents, filled the well-to-do classes with terror and provoked a reaction. Though Wyclif's teaching had no necessary connexion with the revolt, it was natural that all novelties should be suspected, and that men shrank before the discussion of dangerous questions. It was not difficult for Wyclif's opponents to raise a feeling against him, connect the Wyclifite teachers with anti-social movements, and find the root of all political dangers in the new doctrines which Wyclif taught. The new Archbishop of Canterbury, William Courtenay, held in London, in May 1382, a Council which condemned as heretical the propositions drawn from Wyclif's writings which dealt with the doctrine of the Sacraments, and condemned as erroneous fourteen others which dealt with points of ecclesiastical polity. Only the opinions were condemned, and no mention was made of their author by name. This Council was called by Wyclif the 'Earthquake Council,' because a slight shock of an earthquake was felt while it was sitting. Both sides explained the portent in their own favour. Wyclif asserted that God spoke in behalf of His saints because men were silent; the orthodox party answered that the earth expelled its noisome vapours in sympathy with the Church which drove out pestilent heresy.

Suppression of Wyclifite teachers in Oxford. 1382.

Armed with a condemnation of the dangerous opinions, the Archbishop at once proceeded against the teachers. He appointed a Carmelite, Peter Stokys, well known for his zeal against Wyclif, as his Commissary in Oxford, and bad him publish the decrees of the Council, and prohibit the teaching within the University of the condemned conclusions. He also wrote to the Chancellor bidding him assist the Commissary in this matter. For a while the Chancellor and a strong academical party resisted this interference with the privileges of the University. Wyclif might be a heretic or not, but the intervention of Stokys by the Archbishop's authority was a slight on the officials, and the dictation of the Archbishop even on points of heresy was unlawful. But theological feeling was stronger than academic patriotism, and the opponents of Wyclif's views

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were ready to use any means to suppress them; nor was it possible for those who wished to fight only for the rights of the University to disentangle that issue from a supposed sympathy with Wyclif's opinions. Party feeling ran high, and the Archbishop used the opportunity so afforded him of striking a blow at the independent position of the University. When the Chancellor did not at once obey the Archbishop's mandate, the authority of the Crown was invoked on the Archbishop's side, and the Chancellor was forced to submit and to apologise. Within five months the rebellious teachers recanted or were reduced to silence, and the University of Oxford was brought back to an outward appearance of orthodoxy. The triumph of the Archbishop marks a decisive period in the history of the University of Oxford. Hitherto it had been a centre of independent opinion; henceforth its freedom was gone. While the undisputed orthodoxy of the University of Paris set it above bishops and synods, and gave it influence enough even to organise a general council, the prestige of Oxford was lost through its support of Wyclif, and it became the handmaid of the episcopacy.[1]

With his success in silencing the University the Archbishop's triumph ceased. When Parliament met in November 1382, Wyclif presented to it a memorial defending some of his opinions. The Commons so far sided with Wyclif that they demanded and obtained the withdrawal from the statute book of a Bill, which had been passed by the Lords only, in the last session, ordering the sheriffs to arrest Wyclifite teachers. Wyclif himself was summoned before a provincial synod at Oxford; but it would seem that the Archbishop judged it wise to rest content with some slight explanations on Wyclif's part, and allowed him to retire in peace to his living of Lutterworth.

Crusade of the Bishop of Norwich against the Clementines. 1383.

Next year, 1383, England had brought home to her the meaning of the Schism in the Papacy. Henry le Despenser, Bishop of Norwich, had displayed the spirit of a determined and remorseless soldier in putting down the villeins' rising. Thirsting for a new field for military glory, he obtained from Urban VI. a Bull appointing him leader of a crusade against

[1] The details of this extremely interesting piece of University history are to be found in *Fasciculi Zizaniorum*, p. 292, &c.; see also Shirley's remarks in his Introduction.

Clement VII.; all who went on this crusade, or aided with their money, were to receive the spiritual benefits of a crusade in the Holy Land. The Bishop of Norwich made every use he could of the sale of Papal indulgences as a means of raising money. The other Bishops aided him with all their might; and the patriotic feelings of the English were awakened in behalf of an expedition which was to be directed against their national foe, the French. Again Wyclif's warning voice was heard; he pointed out that the Schism was a natural consequence of the moral decay of the Church, which was to be cured, not by crusades against Christian brethren, but by bringing back the Church to apostolic poverty and simplicity. The rival Popes, he added, are two dogs snarling over a bone; take away the bone of contention, and the strife will cease.[1] Despenser's expedition, though at first successful in Flanders, ended in disaster; in six months he returned to England empty-handed, without having accomplished anything. So great was the anger against him that he was called to account by Parliament, and his temporalities were sequestrated for two years to the Crown.

Death of Wyclif. 1384.

Wyclif's days were drawing to a close, but one of his last utterances was a keenly ironical statement of his attitude towards the Papacy, thrown into the literary form of a confession of faith made to the Pope.[2] 'I infer,' he says, 'from the heart of God's law that Christ in the state of His earthly pilgrimage was a very poor man, and rejected all earthly dominion.' The Pope, if he is Christ's vicar, is bound above all others to follow his Master's example; let him lay aside his temporal dominion, and then he would become a pattern to Christian men, for he would be following in the steps of the Apostles. Not long after writing these words, Wyclif was stricken by paralysis in his own church of Lutterworth, and died on the last day of 1384.

Importance of Wyclif's teaching.

The teaching of Wyclif marks an important crisis in the history of the Christian Church. He expressed the animating motives of previous endeavours for the amendment of the

[1] 'Videtur quod eorum interest prudenter auferre hoc dissensionis seminarium, sicut canibus pro osse rixantibus . . . os ipsum celeriter semovere.' Quoted by Lechler, i. 716.

[2] *Fasc. Ziz.*, p. 341.

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Church, and gave them a new direction and significance. He began as a follower of William of Occam, and laboured to set forward the modern idea of the state, and to maintain its independence of hierarchical interference. To this he added the earnest longing after simplicity and spirituality of life and practice which had animated such men as S. Bernard and S. Francis of Assisi, and had made them look with regret upon the riches and temporal importance of the Church. It would seem that in Wyclif a deeply religious feeling of the moral evils of the existing Church-system, united with the keen intellect of the dialectician and the publicist, led him to a criticism of the doctrines on which the existing system of the Church was founded. As the basis for this criticism he set up the authority of Scripture as higher than the authority of Pope or Church. He laid his finger upon the central doctrine of the existing ecclesiastical system, and maintained that the material belief in Transubstantiation was contrary alike to reason and Scripture. The question which he thus raised remained the prominent one in the controversies of the Reformation movement, and it was more and more clearly seen that the only way to overthrow sacerdotal domination was to purify the doctrine of the Sacrament of the Altar from the superstition by which it had been converted into a miraculous act depending on human intervention. It was a question which the Lollards handed on to the Hussites, and the Hussites to Luther. Wyclif challenged the belief in a miraculous change in the nature of the elements; the Hussites attacked the denial of the cup to the laity, and Luther warred against the doctrine of the sacrifice of the mass. But Wyclif did more than simply enunciate opinions, he expressed in his own life a conviction that the existing state of the Church was radically wrong, and needed entire revision. His own method was defective, and his ideas were frequently put forward in ambiguous or misleading phraseology; but they served as a basis to earnest minds in later times, and their echo never entirely died away.

England and Boniface IX.

Wyclif's opinions, though persecuted by the English prelates, were spread among the people by the 'poor priests' whom Wyclif had instituted, and found many followers. They strengthened the spirit of resistance to Papal aggression, which

we find Parliament ever ready to profess. The old question of Provisors was fruitful of disputes and disturbances. The statute was often passed and often broken, because it was as much the interest of the King as of the Pope to set aside the rights of other patrons and nominate to vacant benefices. Thus, in 1379, Urban VI. conferred on the King the right to appoint to the two next vacant prebends in every cathedral church, setting aside the rights of bishops and chapters. It was not natural that the King should be very anxious to enforce the Statutes of Provisors and Præmunire, when he might use them to his own advantage. Yet Parliament returned again and again to this grievance, and tried to make the statutes more and more peremptory. In 1390 a more vigorous Statute of Provisors was passed, and Boniface IX. saw with disgust the obstacles which the English Parliament placed in the way of his rapacity. Yet he was determined not to give way without a struggle, and in February 1391 he issued a Bull in which, after expressing his pain and grief that so good and pious a king as Richard II. should allow such statutes to be passed, he boldly declared them to be null and void, ordered all records of them to be destroyed, forbade anyone to revive them, and commanded all who held benefices in virtue of such statutes, to vacate their benefices within two months. He at once began to grant provisions in England, and, amongst others, conferred on Cardinal Brancacio a prebend at Wells. A suit arose in the King's court between the King's nominee and the Cardinal, in which the court held to the statutes. But there was some fear of the possible effects of a Papal excommunication, and in the next Parliament the Commons petitioned the King to enquire of the Estates what course they would adopt if the Pope were to excommunicate a bishop for instituting the King's nominee. To this question the Lords and Commons answered that they would regard such proceedings as against the law of the land, and would resist them to the death, if need were; the clergy answered that, though they recognised the Pope's power of excommunication, yet in the case proposed the rights of the Crown would be attacked, and it would be their duty to uphold them. After this display of determination on the part of all the Estates, the final Statutes of Provisors and Præmunire were passed, which put out of the protection of the law and

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forfeited to the King the goods of any man who obtained provisions or introduced bulls into the kingdom contrary to the royal rights. These statutes were not enforced much more than the previous ones; but the result of the struggle was an increase of power to the Crown. The Papacy saw that it was useless to claim the right of provisions in England; the right could only be used with the royal consent and sanction. The clergy did not regain the rights of which the Pope had deprived them, but the gain went to the Crown. Here, as in many other matters, the Papal despotism had overthrown the rights of the clergy, who had to turn for support to the Crown; what the Crown recovered from the Pope it appropriated to itself. Hence it was that, when the Papal yoke was at length thrown off, the Crown was found to be guardian of the Church in so many matters that the step to the recognition of its supremacy was but small.

Extortions of Boniface IX.

England escaped by its firmness the insatiable rapacity of Boniface IX., which fell with relentless violence on the other countries that owned his obedience. Throughout the pontificate of Boniface IX. the cries against extortion and simony rise louder and louder. At first Boniface stood in awe of some of the Cardinals, and at least preserved a decent appearance of secrecy in his scandalous sales of Church preferment. As the old Cardinals died, he became more open in his mercantile transactions. It was soon understood that it was useless for a poor man to prefer a request to the Papal court. Favours were granted only on payment, and if a better offer were made afterwards, the Pope did not scruple to make a second grant dated previously to the first. In time a shameless system of repeated sales of presentations was recognised. The next presentation to a benefice was sold two or three times over; then a new class of grant was constituted marked 'Preference'; in time yet another class was created marked 'Pre-preference,' which gave the happy possessor a higher claim than his rivals; though even then, when the vacancy actually occurred, the Pope would often sell it again, despite all previous grants of reservation. If any disappointed candidate instituted a suit on the ground of a previous grant, the Pope inhibited his courts from trying it, so that there was no possibility of redress. Boniface IX., with grim humour, maintained that this procedure was only just, for those who had offered little had wished to deceive him. Every

possible right and privilege was sold, even exemptions from canonical restrictions, and permissions to hold pluralities to the number of ten or twelve at once. Monks bought the right to change from one order to another; for a hundred florins a mendicant might transfer himself to a non-mendicant order. 'It was a wonder,' says the Pope's secretary, Gobelin, 'how the Pope could expect a man to pay so much who possessed nothing, or at least ought to have possessed nothing.'[1] Friars bought the right of hearing confessions and preaching in parish churches, even against the will of the rector. Ecclesiastical agents scoured the whole of Italy to watch the state of health of the owners of rich benefices, and to give speedy intelligence to anxious expectants at Rome, who might judge thereby how much it was wise to offer. Many were too poor to pay in money, but the Pope was not above receiving even swine, horses, corn, and other payments in kind. So great was the demand for money in Rome that usury, which was regarded as an impious trade, flourished to an extraordinary degree, and the money-lenders were regarded as a natural and necessary addition to the Curia. No one was safe from the Pope's rapacity; like a crow hovering round a dying animal, he would send to gather the books, apparel, plate, and money of bishops or members of the Curia as they lay dying. The members of the Curia had a ready defence for these practices: they affirmed that they must all be lawful, as in such matters the Pope could not err.

Ill success of Ladislas in Naples. 1390–92.

Boniface IX. had enough to do with his money, however it was obtained. First he had to maintain the cause of Ladislas in Naples, where the party of Louis II. was gaining ground. In October 1390 Boniface sent six hundred horse and took into his pay Alberigo da Barbiano. But, in spite of these reinforcements, Ladislas lost one place after another, till in March 1391 the Castel Nuovo, the only part of the city of Naples which had remained faithful to him, was driven by famine to capitulate to the troops of Louis. In June, however, Pozzuoli rebelled against Louis and returned to its allegiance to Ladislas. Matters were now pretty evenly balanced between the two competitors, and the Neapolitan barons began to hold aloof from the strife and prepare themselves to join decorously the side of the victor. Next

[1] Gobelin, *Cosmodromium*, vi. 84.

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year, 1392, a blow was aimed by the party of Ladislas against the powerful house of the Sanseverini, who held great possessions in Calabria. Troops were collected for a sudden expedition against them, but news reached the Sanseverini, who determined to turn their own tactics against their assailants. Gathering 550 horse and 2,000 foot, they made a forced march of seventy miles in a day and a night, and fell at early dawn upon the unsuspecting army of Ladislas. Its rout was complete; the chiefs, amongst whom was Alberigo da Barbiano, were taken prisoners in their tents. The Sanseverini enriched themselves by the ransoms which they exacted, and Alberigo, besides paying his ransom, promised not to serve against them for ten years. A crushing blow had been inflicted upon the fortunes of Ladislas, who more than ever felt the need of the Pope's protection. He had no resources of his own, and a plan for gaining help from Sicily, which at first seemed successful, had now ended in nothing.

Affairs of Sicily. 1377–92.

The fortunes of Sicily were indeed a matter of some concern to the Papacy. The death of King Frederic II. in 1377 had left the crown of Sicily to an infant daughter, Mary, with the usual results of a regency among a body of turbulent nobles. There was an Aragonese party and a native party, headed by the powerful baron, Manfredo di Chiaramonte. The Aragonese succeeded in getting possession of the young queen Mary, who was sent to Aragon and married to Martin, the King's grandson. The Sicilian nobles, threatened at once by the Aragonese and the Saracens, who took advantage of the disturbed state of the island to make plundering raids on the coast, submitted themselves in 1388 to Urban VI., who regarded Sicily as a fief of the Holy See. An alliance with Sicily was an important means of gaining supplies for the shattered fortunes of the house of Durazzo in Naples; in 1389 the young Ladislas was married to Costanza, daughter of Manfredo di Chiaramonte, and her rich dowry served to support for a while the cause of Ladislas. But Manfredo died, and Martin of Aragon prepared to make good by force of arms his claim and that of his wife Mary to the Sicilian crown. The cause of Boniface IX. was one with that of the Sicilian nobles, for Aragon had joined the side of Clement VII., and Boniface saw himself doubly threatened in Naples and Sicily. He accordingly

declared Mary's marriage with Martin, which was within the prohibited decrees, and had been contracted in accordance with a dispensation from Clement VII., to be null and void: so long as Mary remained a schismatic her title was to continue in abeyance. Boniface, as suzerain of Sicily, divided it into tetrarchies, and appointed four of the Sicilian nobles as governors. As soon, however, as the Aragonese forces landed in 1392, the union of the Sicilian nobles began to break up. Palermo fell before Martin, and the fortunes of the Chiaramonte family were at an end. Boniface sent legates to acknowledge the title of Mary, provided that she would recognise him as Pope. Everyone wished to save himself from the dangers which the Aragonese occupation of Sicily threatened. Ladislas had spent his wife's dowry, and had nothing more to hope from the marriage now that her family was ruined. It was rumoured that Martin, father of the young King of Sicily, had made Manfredo's widow his mistress. Ladislas was bidden by his mother to profess the greatest horror at this stain cast upon his wife by her mother's unlawful connexion with an Aragonese schismatic. He hastened to Rome, where he was received with due honours by Boniface, who gave him a Bull of divorce. The luckless Costanza was sacrificed without a feeling of pity or a plea of justice to the political necessities of her husband. It was, perhaps, hardly to be expected that Boniface, who had no scruples in selling the rights of the Church to raise money for Naples, should allow any compassion for a wretched woman to stand in the way of getting more money for Ladislas. Another lucrative marriage might be made if Costanza were only set aside. Ladislas returned to Gaeta, where the luckless Costanza was publicly divorced. Ignorant of her fate, she went to hear mass with her husband; the Bishop of Gaeta read the Pope's Bull, and then, advancing to Costanza, took from her finger the wedding-ring, which he returned to Ladislas. From the cathedral Costanza was taken to a small house, where, with only three attendants, she continued to live on the alms of the court, till she was given in marriage to a Sicilian baron. But her high spirit was not subdued: as she left the church with her new husband, she proudly said that he was lucky in being allowed to commit adultery with a queen.[1]

[1] Niem, *Schism*, i. 63: 'Dicens tamen dicto militi, dum traducebatur, eum esse felicem quod reginam in adulteram habiturus esset.'

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Success of Ladislas. 1393.

Help in the way of a divorce was not all that Boniface IX. gave to Ladislas. In 1393 he sent fresh reinforcements under the command of his brother, Giovanni Tomacelli. Ladislas was but a youth, scarce eighteen years of age; but his mother Margaret saw that a decided effort must be made. She sent forth her son into the field like a Spartan mother. Coming before the barons, 'Know,' she said, 'that I give into your hands my soul, the breath of my life, my only treasure: here it is;'—and she flung her arms round her son's neck—'I commend him to you.' The shouts of the soldiers greeted her appeal. The army marched against the important town of Aquila, in the Abruzzi, and took it. This was the beginning of the military exploits of Ladislas, whose energy never flagged, and whose cause from this time forward prospered. He had all his father's activity and force, and these qualities contrasted strongly with the feebleness and indolence of his rival Louis. Martin of Sicily was kept busy in his own land, for the Sicilian towns were true to their allegiance to Boniface, and rebelled against the rule of a schismatic. It required all his forces for the next two years to reduce the rebels to submission. Henceforth Boniface was free from threatening dangers in the south of Italy, and could devote his energies to the task of securing his power in the Papal states.

Boniface IX. and the Romans. 1391–92.

Rome had been submissive to the Pope so long as there was a hope of gain from the pilgrims who flocked to the Jubilee; but when this harvest was over, difficulties soon arose, and the Papal court was at variance with the magistracy. On September 11, 1391, an agreement was made between the Pope and the Republic of Rome, which promised to respect the immunities of the clergy, to free the members of the Curia from tolls, to keep in repair walls and bridges, to help in the recovery of the Papal possessions in Tuscany, and to urge the barons to ally with the Pope and the city. On March 5, 1392, a further agreement was made to raise forces to put down the nobles who had seized the towns in the Patrimony, and whose plundering raids made them as much the enemies of the city as of the Pope. It was agreed that all places wrested from them should belong to the Roman people, with the exceptions of Viterbo, Civita Vecchia, and Orchio. The fact that these formal agreements were necessary is sufficient in itself to show that things

did not go smoothly. In the war against Giovanni Sciarra da Vico, who held Viterbo, the Romans found that they were contributing the lion's share. The Pope, in straits for money, had pledged all the lands of the Roman churches; but the people did not get the money quickly enough. One day they rose in arms, and, headed by the Banderisi, rushed to the palace and dragged from the Papal presence the canons of S. Peter's, who refused to part with the possessions of their church for the purposes of the war.[1] No wonder that the Pope did not feel himself secure in Rome, and gladly embraced an opportunity of quitting it.

Boniface IX. at Perugia. September 1392–July 1393.

Perugia had long been a prey to civil discords. The Tuscan league against the Pope in 1377 had awakened the activity of the old Ghibellin party within the city, and the nobles were glad to rise against the traders who had possessed themselves of the government. The war that arose in 1390 between Florence and Giovanni Galeazzo Visconti of Milan, drew all contending parties into its sphere. The restless ambition of the crafty Duke of Milan threatened the liberties of the free cities of North Italy, and Florence had boldly stepped forward to meet the danger before it came too near. The Ghibellin nobles of Perugia, headed by Pandolfo de' Baglioni, placed their city under the protection of Giovanni Galeazzo, and expelled the opposing Guelfs, who took refuge in Florence. Both sides suffered severely in the war without gaining any decisive results, and were at last willing to listen to Boniface IX. The Pope strove to make peace, and, with a view of freeing himself from the troubles of a residence at Rome, at the end of September 1392 set out to Perugia, where the guardianship of the citadel and of the city was entrusted to the Papal legate, Pileo, Archbishop of Ravenna. Perugia put itself in the hands of the Pope, and owned his suzerainty. Bologna, Imola, and Massa Lombarda, which had suffered severely in the war, submitted themselves in like manner. In Perugia Boniface abode for a year, recalled the Guelfic exiles, and tried to maintain peace within the city. During his residence at Perugia he met with many successes. The Romans were successful in their war against Giovanni Sciarra da Vico; he renounced Clement VII. and submitted to Boniface, who, with the consent of the Romans, took to himself the office of prefect

[1] *Vita Bonifacii IX.*, in Muratori, III., pt. ii. 830.

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of Viterbo. Similarly, in La Marca the cities of Ancona, Camerino, Fabriano, Jesi, and Matelica submitted to him. But the peace which the Pope had made at Perugia was not of long duration; the feud which he had striven to pacify was too deep-seated for the rival parties to live in unity within the same city walls. In July 1393 one of the returned exiles was murdered in the street; when the Podestà was about to pass sentence on the assassins, the chief of the nobles, Pandolfo de' Baglioni interfered on their behalf. The other party vowed vengeance; Pandolfo was assassinated, and all his family, whom the eager crowd could reach, were put to death. Butchery reigned in the city, and the Pope with a few followers fled by night from the scene of carnage and took refuge in Assisi. The Ghibellin party were exiled from Perugia in their turn, and the city had now to unite itself closely to Florence; a Perugian general of condottieri, Biordo de' Michelotti, made himself chief of the people, and the city was lost to the Pope.

The Romans recall Boniface IX. Dec. 1393.

In Assisi Boniface IX. abode in quietness; but the Romans grew alarmed at the absence of the Pope, and feared that he intended to fix his seat in Umbria. Then, as always, the Papacy cast a blight over the municipal institutions of Rome, and prevented them from developing into strength. The Romans could neither obey nor resist the Pope according to any persistent plan; his presence and his absence were alike intolerable to them. They could not make up their minds either to forego the advantage which their city reaped as capital of the Papacy, nor to endure the inconvenience of the Papal residence among them. They sent ambassadors to Boniface at Assisi beseeching him to return to Rome. Boniface assented on his own conditions. The Romans were to send 1,000 knights to escort him on his way, and were to lend him 10,000 florins of gold for the expenses of the journey. They were, moreover, to agree that the Pope should, if he chose, appoint a senator of Rome; if he did not do so, the Conservators who exercised the senatorial authority were to take an oath of fidelity to him; his senators were not to be interfered with by the Banderisi or other magistrates of the city. The Romans were to keep the roads to Narni and Rieti free and open, and were to maintain a galley to guard the approach by sea. The clergy and members of the Curia were to be amenable only to the Papal courts, and were to

be free from tolls and taxes. The goods of the churches and hospitals were to be similarly free from taxes. The markets of the city were to be under the charge of two officers, one appointed by the Pope, the other by the people. These conditions were accepted by the Romans on August 8, 1393, and Boniface again took up his residence in Rome in the beginning of December. This agreement bears a strong testimony to the political shrewdness of Boniface. He knew the advantage of striking a blow at the right time; he knew the importance of privileges once granted. The conditions to which the Romans so lightly agreed under the impulse of a passing panic, laid the foundations of the Papal sovereignty over the city of Rome; Boniface IX. himself lived to broaden and extend them, and his successors inherited his claims as their lawful prerogatives. But Boniface was not to reap immediately the fruits of his policy and of the short-sightedness of the Roman people. The rule of the Pope was soon found to be galling, and the Romans regretted that they had sold their liberties for such a doubtful boon as the presence of the Pope. Disagreements soon arose between the Pope and the Banderisi; the Roman people rose in arms in May 1394, and the position of Boniface in Rome became precarious—even his life was threatened. But his alliance with Naples had not been made in vain, and Ladislas was ready to help his protector. In October 1394 the young King of Naples came to the rescue of the Pope, and repressed the rebellion of the people; after a few days' stay in Rome he returned to Gaeta laden with substantial tokens of the Pope's gratitude.

Efforts of the University of Paris to end the Schism.

At the same time that Boniface was freed from this danger he also was relieved from another foe: on September 16 died the anti-Pope Clement VII. His end was probably hastened by the humiliations to which he was subjected by the remonstrances of the University of Paris. It is the great glory of that learned body that it did not cease to labour to restore the shattered unity of the Church. It was, indeed, necessary that this question should be discussed by a learned body of professed theologians, for the principles of Papal jurisprudence had been so successfully applied to the system of ecclesiastical government that they had destroyed all traces of a more primitive organisation. The Pope was recognised as God's Vicar, as superior to General Councils, and there was no jurisdiction which could claim to call

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him to account. Yet now the organisation of the Papacy, which owed its power to the fact that it was a symbol of the unity of the Church, had brought about the destruction of that unity, and was an insuperable obstacle in the way of its restoration. Christendom groaned under the expense of two Papal establishments, but was helpless to find any lawful method of redressing its grievances and setting at one the distracted Church. It was the work of the University of Paris to revive the more ancient polity of the Church before the days of the establishment of the Papal monarchy, and by a ceaseless literary agitation to familiarise Christendom with ideas which at first seemed little better than heretical.

Langenstein's 'Concilium Pacis.'

So great were the difficulties which beset any endeavour to escape from the legal principles of the canon law, that the conciliar theory was advanced with great caution, and only on the ground of absolute necessity. In 1381 a German doctor at Paris, Henry Langenstein, of Hesse, wrote his 'Concilium Pacis,'[1] in which he argued in favour of the summons of a General Council. Necessity, he urged, makes things lawful which are otherwise unlawful; where human law fails recourse must be had to natural or divine law; the spirit of ecclesiastical rules must take precedence of the letter; equity, as Aristotle says, must be called in to redress the wrongs of strict justice; in time of necessity the Church must have recourse to the authority of Christ, the infallible Head of the Church, whose authority is resident in the whole body. To decide the question whether the election made by the Cardinals, as commissaries of the Church, was lawful or not, recourse must be had to the assemblage of bishops which represents the Church. This theory of Langenstein had much to commend it, but no one could ignore the difficulties in the way of assembling or constituting a General Council.

Theory of withdrawal of allegiance.

The threat of a Council was an effective weapon in reserve for the case of extreme need; but, instead of summoning a Council to decide between two claimants, was it not possible to induce the rival claimants to resign their positions? This idea of voluntary abdication by the two Popes found favour in Paris; but it was open to the obvious objection that it was difficult to

[1] It is printed in Gerson, *Op.* ii. 809–40; also in Von der Hardt, II. pt. i. 1–59.

induce men to resign lucrative and important posts. It might, however, be possible to compel them to do so by a withdrawal of the allegiance of the faithful. This proposed withdrawal the theologians of the University set to work to justify; schism was as bad as heresy; and if a Pope condemned for heresy ceased to be Pope, the case of Popes openly and notoriously persisting in schism fell under the same law. By this theory the principles of feudalism were carried into the Church. The Pope held his power of Christ; if he used it to the separation of His Lord's kingdom, the inferior vassals might defy him. It was an attempt to legitimatise rebellion as the ultimate appeal in case of difficulty.[1]

Action of the University to end the Schism. 1392–94.

As opinion was slowly formed within the University, it was from time to time laid before the French King; but the madness which fell upon him in 1392, and the disturbed state of France through the struggle for power between the King's uncles and his brother, made any practical measures hopeless. Yet in the King's lucid moments the entreaties of the University were renewed, and, strangely enough, they were seconded by Boniface IX., who at the end of 1392 sent two Carthusian monks with a letter to the King reminding him of his duties to Christendom, and offering his co-operation in any steps which might be thought necessary to heal the Schism. Boniface IX. hoped by a show of humility to detach France from his rival; but the royal counsellors wrote back an answer carefully framed to contain no word of recognition of Boniface, while conveying a general assurance of the King's zeal.[2] At the end of 1393, the University met with a favourable answer from the King's brother, the Duke of Berri; it showed its gratitude by a solemn procession to S. Martin des Champs, and at once appointed a commission to consider means for attaining its end. A chest was placed in the Convent of the Maturins, into which each member of the University cast his written opinion; and after duly inspecting the votes, the commissioners reported that three possible courses had been submitted—an abdication by both Popes, an arbitration by an equal number of judges

[1] See the speech of Pierre Plaoul, in Bulæus, iv. 836, &c. I am indebted to Hübler, *Die Constanzer Reformation*, p. 367, for pointing out the full bearing of the doctrine of withdrawal.

[2] See *Chronic. de S. Denys*, bk. xii. ch. 14; and the King's letter in D'Achery, *Spicilegium*, i. 785.

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appointed by both sides, or a General Council. Clement VII. was alarmed at these revolutionary proposals; he summoned the chiefs of the University to Avignon, but they refused to go. He then tried the more effectual means of sending a legate with rich presents to the King's counsellors, and the crafty Cardinal, Peter de Luna, who was then resident in Paris, helped with his ready intrigues. Hence when the University first brought its report to the King, the Duke of Berri refused an audience, and threatened its chief men with imprisonment; it was only after some delay, by the influence of the Duke of Burgundy, that the representatives of the University came, on June 29, 1394, before the King. They laid before him in an address the three methods proposed for ending the Schism; they stated the arguments in favour of each, and combated the objections which might be raised. 'Why should not the Pope,' they pleaded, 'submit himself to the authority of others? Is he greater than Christ, who in the Gospel was subject to His mother and Joseph? Surely the Pope is subject to his mother, the Church, who is the mother of all faithful people.' Charles VI. listened with interest, and ordered the address of the University to be translated into French, that it might serve as the declaration of a new policy. Great hopes were entertained that he would act decisively; but again the intrigues of Peter de Luna prevailed with the Duke of Berri, and the University was forbidden to approach the King or meddle with the matter of the Schism. The University knew of Clement's machinations, and was prepared for the check; for its deputies at once replied that all lectures, sermons, and other academic acts would cease until it obtained its just demands.

Death of Clement VII. September 16, 1394.

The King, however, had ordered a copy of the address of the University to be forwarded to Clement VII., and the University itself sent him a representation against the conduct of Peter de Luna,[1] and an exhortation to unity. Clement VII. was both wounded and alarmed at their plain speaking, and angrily denounced the letter of the University as 'wicked and venomous;' but his Cardinals gave it as their opinion that one of

[1] It described Peter de Luna as 'Homo qui antiquis zizaniis nova super seminando hunc totum laborem nostrum tam salutarem tamque fructiferum extinguere et cessare licet frustra molitus est. Heus Pater Beatissime, iterum heu, tertio heu, quod vir ecclesiasticus hoc audeat.'—Bulæus, iv. 699.

the ways recommended by the University would have to be followed to restore peace to the Church. In the state of depression which these humiliations caused to the haughty spirit of Clement VII. he was stricken suddenly by apoplexy, and died on September 16, 1394.

Character of Clement VII.

Robert of Geneva, like many others, found that a lofty position stifled rather than kindled his energies. In his earlier days he had enjoyed the work of a soldier, and felt keen pleasure in being at the head of the strongest party among the Cardinals. His aristocratic sentiments made him delight in being in a position of command, and he did not discover, till after his elevation to the dangerous dignity of an antipope, how much sweeter is power when it is exercised without the oppressive load of responsibility. Robert of Geneva was not the man for an equivocal position, for his nature was too sensitive to grapple with the difficulties which beset him. By feeling, as well as by birth, he belonged to the class of feudal nobles, not of adventurers, and the daring which he showed when his course was clear deserted him when he felt that his position was doubtful. He soon discovered that the greater part of Christendom repudiated him, and that he was maintained as Pope solely by the French King—a fact which the French courtiers did not scruple to throw in his teeth.[1] His adherents in other lands were ousted from their offices, and fled in poverty to Avignon, clamouring for help, which Clement VII. had no means of giving; he could not afford to maintain a crowd of needy dependents, and his natural taste for grandeur suffered from the sight of misery which fidelity to his cause had brought upon others. His sensitiveness was also wounded by the calls which constantly reached his ears that he should restore peace to the distracted Church. His pride prevented him alike from abandoning and from enjoying his position. He could not find satisfaction in the petty intrigues and the small victories which would have satisfied a coarser nature. Tall, handsome, and of commanding aspect, he always cherished those gifts which had won him popularity; he was always genial, affable,

[1] *De Corrupto Statu Ecclesiæ*, in Von der Hardt, I. pt. iii. 46: 'Quid Clementi nostro quoad vixit miserabilius! qui ita se servum servorum Gallicis principibus adjecerat ut eas ferret injurias et contumelias quæ sibi quotidie ab aulicis inferebantur quas vix deceret in vilissimum mancipium dici.'

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and decorous. But he shrank from everything that reminded him of his powerlessness; and such power as he had he was determined to exercise by himself. He was morose to his cardinals, and rarely asked their advice or held consistories; when he did so, they were summoned at a late hour, and were rapidly dismissed.[1] Such business as he had he dallied with, and it was hard to get him to take a decided step. When at last he saw that the representations of the University of Paris had begun to prevail even with the French King, Clement's humiliation was complete. He was not great enough to submit for the good of Christendom, nor was he small enough to fight solely for himself. Overcome by the dilemma, he died.

[1] Life, in Baluze, ii. 537: 'Contra ritum et consuetudinem suorum prædecessorum consistoria et concilia tenuit satis raro et hora tardiori. Fuit enim valde morosus et longus in negotiis sibi incumbentibus expediendis.'

## CHAPTER III.

### BONIFACE IX.; BENEDICT XIII.
### ATTEMPTS OF FRANCE TO HEAL THE SCHISM.
### 1394—1404.

CHAP. III.

Attempts to prevent a new election. September 22–24, 1394.

When, on September 22, 1394, the news of the death of Clement VII. reached Paris, it was felt that a great opportunity was offered for ending the Schism. A meeting of the Royal Council was held immediately, and a messenger was despatched, post haste, to Avignon bearing a royal missive to the Cardinals, requiring them to make no new election till they had received an embassy which the King was about to send. In this the royal zeal outsped the monitions of the University; but that body sent a letter to the Cardinals by the hands of the royal ambassadors. 'Never could there be again such an opportunity of healing the Schism: it was as though the Holy Ghost stood at the door and knocked.' No time was lost by the King: on the 24th a royal embassy was sent off to Avignon, but heard on the way the news of the election of Peter de Luna.

Election of Peter de Luna, Benedict XIII., September 28, 1394.

It was, in fact, too much to expect that the Cardinals at Avignon should trust themselves to the tender mercies of the King of France. They had advised Clement VII. to take steps towards ending the Schism, and had been ready to second the advice of the University of Paris. But in any measures taken by a Pope, their dignity could at least be spared, and their interests respected. The extinction of the Schism, by preventing the election of another Pope, meant the extinction of the Cardinals themselves. The one unmistakable right of Cardinals was the election of a Pope: if they did not proceed to the election, they cast a doubt on the validity of their own office,

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which they could not expect that others would esteem more highly than they did themselves. They lost no time in entering into Conclave, and the King's first letter reached Avignon just as the doors were being closed, on the evening of September 26. But the Cardinals suspected its contents, and resolved to read it after the election, which was the business on which they were at present engaged. At the same time, wishing to free themselves from the charge of promoting the Schism, they drew out a solemn form of oath binding themselves to do all in their power to end the Schism, and binding him who should be elected to resign the Papacy, if a majority of the Cardinals called on him to do so in the interests of the Church. Of the twenty-four Cardinals who then composed the College, three were absent, and of those present only three refused to sign this declaration. The eighteen Cardinals who signed proceeded at once to deliberate: one Cardinal was proposed, but he cried out, 'I am feeble, and perhaps would not abdicate. I prefer not to be exposed to the temptation!' 'I, on the other hand,' said Peter de Luna, 'would abdicate as easily as I take off my hat.' All eyes were turned on him; his political skill was well established, and his zeal for the reunion of the Church was credited. On September 28, Peter de Luna was elected Pope, and took the title of Benedict XIII.

The election of Peter de Luna was, in itself, unexceptionable. Sprung from an old Aragonese house, he had devoted himself to the study of canon law, of which he became professor in the University of Montpellier. Gregory XI. made him a cardinal on account of his learning, and his ability had always made him a man of mark in the Curia. He was a man of blameless life, and his enemies could bring no charge against him save that of fostering the Schism. His cleverness, however, verged on craft and subtilty, and in his dealings with Spain and with the court of France he had shown an ingrained love of intrigue and a delight in managing complicated affairs which augured ill for his pliability. His short and spare frame contained a restless and resolute mind, and the Cardinals who had voted for him on the ground of his repeated protestations of his desire to end the unhappy Schism of the Church, found that he meant the end to come only in the way which he pleased.

At first, however, all went smoothly, and so delighted was

the University of Paris with the new Pope's expressions of readiness to adopt any measures for appeasing the Schism, that they hailed him as indeed Benedict—one blessed indeed if he spread on all sides the blessing of peace.[1] The letter in which he announced his election to the French King assured him that he had only accepted the office of Pope as a means of ending the Schism, and reminded him how entirely their views had agreed on this point when they had discussed the matter together at Paris. No one could speak more fairly than Benedict. The envoys of the University in their first interview met him as he was going to table; as he took off his hat before sitting down, he repeated his remark that he could lay aside his office as easily as his cap. Promises and fair words were easily uttered, but the year came to an end and nothing further had been done.

Negotiations for Benedict XIII.'s abdication. February–August 1395.

In February, 1395, a synod of bishops met in Paris, and after considering the three methods proposed by the University, gave its opinion in favour of abdication as the best way of ending the Schism. If Benedict could suggest any better way, let him do so: if not, let him place himself in the King's hands, who would then confer with the princes of the obedience of Boniface, and take steps to compel him to do likewise. Armed with this opinion, a royal embassy was sent to Benedict, headed by the Dukes of Burgundy and Berri, the King's uncles, and the Duke of Orleans, his brother. They arrived at Avignon on May 22, and lost no time in urging their business. The Pope met them by raising difficulties at every step. First, there was a discussion whether they might see the document which the Cardinals had signed before the election: when at last they obtained a copy, Benedict warned them that it did not follow that those who had signed it before would sign it now, and as for himself his position had been entirely changed since his election.[2] When the proposal for abdication was made, Benedict met it by the impossible suggestion of a conference between the two Popes, under the protection of the French

[1] Cf. Letter of Univ. in D'Achery, *Spicilegium*, i. 773: 'O vos certe benedictum, Pater Beatissime, si nos benedixeris ista benedictione.'

[2] See the detailed account of these negotiations given by the secretary, Gontier Col, in Martene and Durand, *Vet. Scrip. Collectio*, vii. 488, &c.; and compare the account from the Papal side in Baluze, *Vitæ Pap. Aven.* ii. 1108, &c.

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King, for the purpose of discussing their respective pretensions. When this was naturally rejected by the royal ambassadors, Benedict asked that their propositions should be reduced to writing and submitted to him in due form. He was answered that the King's proposal was contained in one word, 'abdication': at this he was offended, and complained of scant courtesy; he was ready to receive advice not commands, as he was not bound to obey any one save Christ. When the Pope was thus found to be unyielding, the Duke of Burgundy resolved to bring the opinion of the College of Cardinals to bear on his obstinacy. He summoned the Cardinals to his house, and demanded the private opinion of each upon the course to be pursued. Nineteen agreed more or less decidedly with the proposition of the King: one, the Cardinal of Pampeluna, the only Spanish member of the College, advocated the martial method of ending the Schism by forcibly expelling Boniface IX. from Rome; if this were impossible, he preferred a conference to abdication.

Resistance of Benedict XIII.

The attempt to exercise pressure on Benedict XIII. was a mistake, and the negotiations were conducted in an overbearing manner that was sure to provoke his resentment. Benedict XIII. before his election was well aware of the schemes of the University, and had gauged the capacity of the men who advocated them. Now that he was Pope, he was responsible for maintaining the rights of his office, and the crude proposals of the University theologians were scarcely likely to commend themselves to one who was well versed in canon law. Benedict XIII. may be pardoned for feeling it his duty to resist a scheme for ending the Schism which was founded in the use of compulsion towards the two claimants of a disputed succession. It was a clumsy attempt to cut the knot instead of untying it. One of the claimants was clearly the rightful pope: it might be difficult to find any legal means of settling on which side the right lay, but the proposal to over-ride the question of right by compelling both claimants to abdicate was a rude abolition of law in favour of violence. Moreover Benedict XIII. saw clearly enough the practical difficulties which lay in the way of the plans of the University. If he were to abdicate, what guarantee was there that his rival could be compelled to do likewise? He was asked to place himself unreservedly in the hands of the King of France, who probably after a few years

of unsuccessful negotiations would set up a pope of his own, entirely subservient to the French Crown. Benedict's obedience comprised other kingdoms besides France; he was himself a Spaniard, and resented the interference of France as though it were the only power concerned in this matter, which affected the whole of Christendom. He said, with some truth, that if he had been a Frenchman, he would not have been treated with such arrogance; there were other kings besides the King of France, other universities besides that of Paris: he could not answer the King's proposals till he had consulted with the doctors of the University of Avignon, for no clerks were more learned than they, and many came from Paris to consult them.

On June 20, Benedict, in the presence of two Cardinals only, gave his answer, in the shape of a Bull, to the ambassadors; he repeated his proposal of a conference, and reiterated his objections to the procedure by abdication. It was to no purpose that the ambassadors tried to bring pressure to bear upon him through the Cardinals, who declared themselves on the King's side; Benedict met them with tact and prudence, and overwhelmed them with formal objections. The ambassadors lived in Villeneuve, on the opposite side of the Rhône from Avignon; whether it was a measure to speed their departure or not cannot be said, but one night the wooden bridge across the Rhône caught fire, and thenceforth the ambassadors' interviews with Pope or Cardinals were checked by the fact that they had to cross the turbulent Rhône in an open boat. They could obtain nothing from Benedict XIII. but more Bulls expressing his willingness to do what he had suggested: with these they returned to Paris on August 24. Their mission had proved entirely fruitless.

Hostility of the University of Paris to Benedict XIII. 1395-96.

Both sides now prepared for war. The University of Paris, stung by the attack of Benedict, at once presented a memorial to the King, desiring him to call a synod, and by its authority deprive Benedict of the right of presentation to benefices; and cut him off from his ecclesiastical revenues. The royal advisers were not, however, prepared to take such a decisive step; and the University contented itself with sending circular letters to all the princes and universities in Europe, urging them to join in enforcing their policy upon the contending Popes. On his side Benedict drew nearer to Spain, and the King of Castile

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wrote angrily to the Cardinals, complaining that they took counsel with the French King, and did not consult him: 'yet I think that among Christian princes I ought to be consulted as much as any other king whatever.'[1] Moreover the University of Toulouse espoused his cause, and began to attack the theological position of the University of Paris. Already, while the French ambassadors were at Avignon, the representatives of the University of Paris had laid before them eight conclusions put forward by an English Dominican, John Hayton, which were entirely subversive of their position. Hayton asserted the rights of the one Head of the Church, the Pope, and denounced the use of coercion to make him abandon them: he did not hesitate to call the University 'a daughter of Satan, mother of error, nurse of sedition, defamer of the Pope.' The envoys of the University urged the royal ambassadors to procure the Papal condemnation of these conclusions of Hayton, and the Pope faintly condemned them. But Benedict XIII. showed considerable tact in detaching from the side of the University some of its most distinguished men. Benedict was himself a scholar, and as such had an attraction for other scholars; while the practical steps, which the University recommended as the means of carrying their opinions into effect, naturally awakened repugnance in many thoughtful minds. The simple scholar would feel little interest in urging on the King the use of forcible means to bring Benedict to abdicate: he would see that it was impossible to restore spiritual authority by means of compulsion applied in such a way. Hence we find Nicolas de Clémanges, who had been rector of the University in 1393, invited by Benedict to be his secretary and librarian in 1394; and early in 1395 the learned Peter d'Ailly resigned his offices in the University, and accepted from Benedict the rich bishopric of Cambrai.

This retirement of the more moderate men only made the action of the University more vehement. It submitted, in the form of questions, nine definite points which had been in their opinion raised by the refusal of Benedict to accept the proposed abdication. Has the Pope by his refusal fallen into

[1] Letter in Martene, *Thesaurus*, ii. 1136: 'Et appert bien que vous donnez à entendre que l'Eglise ne fait pas grant compte de moy, ni de mes royalmes en ces faits en la maniere qu'elle deust; de laquelle chose je me deuil.'

heresy and mortal sin? Are the Cardinals bound any longer to obey him? Ought he to be compelled to abdicate, and if so, by whom? Is he subject to a General Council? Are his censures against those who proceed in this matter to be heeded? These were the questions raised by the University, and their bare statement caused a reaction in favour of the Pope. They were revolutionary, and struck at the root of the existing organisation of the Church, and the Papal headship altogether. The most eminent of the University theologians, Jean Gerson, who had done much to mould its opinion, raised his voice in favour of milder measures; an answer to these questions on the part of the University would, he pleaded, only lead to a counter argument on the side of the Pope, and when once dogmatic opinions had been put forward on either side, obstinacy would take the place of reason, as no one would willingly confess that he had been a heretic.[1] Matters were stayed for a time, but the ill-feeling between Benedict and the University increased. Benedict harassed the University in small points, and the University appealed from Benedict to a future Pope, 'one, true, orthodox and universal.' Benedict replied that an appeal from the Roman pontiff was unlawful.[2] The University retorted that, in that case, S. Peter's chair must be assumed to make its possessors impeccable. The pride of the University was more and more involved in the struggle, which had become almost a personal one, and its representations to the French King were redoubled.

Cooperation of England and Castile 1397.

At the end of 1396, embassies were sent to Germany, England and Spain to gain co-operation in carrying out the ecclesiastical policy of France. After a little wavering the King of Castile gave in his adhesion, and Richard II. of England, who had married a daughter of Charles VI., and hoped for French help in carrying out his high-handed policy at home, was also willing to acquiesce. In June 1397, a joint embassy from the Kings of England, France, and Castile was sent to Rome and Avignon. When Benedict XIII. declined to give a definite answer to their proposals, he was informed that the French King required him to take steps before February 2,

[1] Gerson, *Opera*, ii. 7–9.

[2] Bull in Bulæus, iv. 821: 'Declaramus non licuisse neu licere a Romano Pontifice appellare seu etiam provocare.'

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1398; that the Schism must be healed by that date, otherwise the King would himself proceed to remove its causes.

Conference of Charles VI. and Wenzel at Rheims. March 1398.

Charles VI. was now pledged to proceed to extremities, but wished first to engage on his side Wenzel, King of the Romans. Wenzel was personally on good terms with Boniface IX., who had good-naturedly overlooked his wild violations of ecclesiastical privileges; but the University of Prag had followed the lead of the University of Paris, and the Bohemian King felt himself called upon to seem to do something. A conference was held between the two monarchs at Rheims, on March 23, 1398, to decide the future of Christendom. They were a strange pair for such a purpose—a madman and a drunkard. Charles VI. enjoyed intervals of reason, and, though feeble in mind at all times, was still beloved by his people for his personal kindliness. Wenzel day by day grew more besotted in his vices, and was only able to do business in the morning before he had time to get drunk. The two Kings agreed that between them they would restore the peace of the Church. Charles VI. undertook to force Benedict XIII. to abdicate, and Wenzel vaguely promised to compel Boniface IX. to do likewise, if it could be done without prejudice to his own honour. On this understanding, Charles VI. returned to Paris, and did his utmost to fulfil his promise; it would have been well for Wenzel if he had acted with like determination.

Withdrawal of the allegiance of France from Benedict XIII. May 22–July 27, 1398.

On May 22, 1398, a synod of French bishops and representatives of the Universities assembled in Paris in obedience to the royal summons. The King himself was unable to attend through illness, but the Dukes of Berri, Burgundy, and Orleans were present. Simon Cramaud, Patriarch of ~~Antioch~~, the chief ecclesiastic in France, and a staunch supporter of the royal policy, was president of the synod; he laid before it as the question for discussion how the abdication of Benedict XIII. was to be procured—whether for that purpose a total or partial withdrawal of obedience was necessary. It was agreed that six disputants on either side should put forth the arguments for and against Benedict XIII. On the side of Benedict was urged, first, the theoretical unlawfulness of a withdrawal of allegiance, since the supremacy of the Pope was absolute, and nothing save heresy could impair it; next the practical inconveniences, as it would be the cause of great disorders, and would probably

harden the resistance of Benedict rather than subdue it; if he were to abdicate after such withdrawal of allegiance, his adherents would declare it had been done under compulsion; if he were not to abdicate, it was impossible to see what might happen; moreover such a step was fatal also to the foundations of civil government, for it gave an example of rebellion. On the side of the clergy and University it was urged that the life of the Church lay in unity, and schism was its death; only when the Pope cares for the unity of the Church is he Christ's vicar, when he opposes unity he is Christ's adversary; as to the argument about the danger to civil governments of the example of withdrawing allegiance from the Pope, there was no analogy between the two; for Christ said 'the Kings of the Gentiles exercise lordship over them, but whosoever amongst you would be greatest, let him be your servant;' the temporal power is not subject to the people, but the Pope is the servant of the Church, and must act for its good; his abdication is necessary to heal the Schism, and the withdrawal of allegiance is necessary to cut off his resources and reduce him to submit. After this disputation the votes of the assembly were taken; two hundred and forty-seven voted in favour of immediate withdrawal of obedience, twenty voted for postponing the question at present and summoning the Pope afresh, sixteen voted for holding a council of the entire obedience of Benedict, and submitting the matter to its consideration. After this vote the royal order was signed on July 27, 1398, for the withdrawal of allegiance, which cut off from Benedict all power over the French Church, and all means of raising money out of the ecclesiastical revenues of France.[1]

Weakness of this procedure.

The University of Paris had worked its will at last, and could certainly claim the credit or blame of all that had been done. It had succeeded in awakening in men's minds a desire to end the Schism, and had asserted, as the basis for all action, the superiority of the interests of the Church as a whole over the interests of its contending rulers. But the doctors of the University were still under the power of the ideas of the Middle Ages. They took their stand upon the necessity of a formal unity of the Church, which was to be represented by the outward unity of its government. Many minds, amid the jangle of contending

[1] Acts, in Bulæus, vi. 829, &c.

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assertions, tended towards neutrality, and looked upon both Popes with suspicion; many advocated a national government for each national Church; but the University maintained stoutly the mediæval desire for outward unity, and carried its theories no farther than was necessary under existing circumstances for its restoration. But there was an inherent weakness in the policy of the University, for it resorted to extraordinary measures, while it could not be sure that they would gain their end. The withdrawal of allegiance from Benedict was an act entirely opposed to the ecclesiastical constitution, and no reasons except those of expediency could be urged in its favour. Moreover, that measure in itself was only a dubious step towards gaining the end proposed. The University argued that the withdrawal of the allegiance of France would probably lead to the abdication of Benedict, and then the example of France would probably be followed by the Empire towards Boniface, who would also probably be compelled to abdicate, and then the united Church could again choose a head. The chance of ultimate success in this elaborate scheme was too far distant to justify the revolutionary step which was to set all in motion. Revolutionary measures are dangerous unless they are likely to effect their end at once; in this case the inevitable reaction in favour of legality set in before the first step could be accomplished.

Fruitless mission of the Bishop of Cambrai to Benedict XIII.

France counted on forcing Benedict into perfect submission. Immediately after the Council, D'Ailly, Bishop of Cambrai, who had previously been employed in negotiation with the Pope, set out together with Marshal Boucicaut for Avignon. If D'Ailly's persuasions failed, Boucicaut, who stayed behind at Lyons, was to proceed to force. When D'Ailly in his first interview with Benedict expressed the King's wish that he should resign his office, Benedict changed colour and angrily exclaimed, 'I will never do so as long as I live, and I wish the King of France to know that I will pay no heed to his ordinances, but will keep my name and Papacy till death.'[1] D'Ailly replied that he could

[1] The details of this embassy are given in Froissart, bk. iv., ch. 96. No doubt Froissart's speeches are rhetorical inventions, but Tschackert (*Peter von Ailli*, p. 103) has pointed out that, as Froissart ended his days in 1400 at Cantimpré, near Cambrai, it is very possible that he may have heard many of the incidental details, which are vivid in this part of his narrative, from the lips of D'Ailly himself.

accept no answer which was not made after counsel with the Cardinals; two who were present joined in urging the summoning of a consistory. Next morning D'Ailly spoke before the assembled Cardinals and then left them to their deliberations, which were stormy. Many of them urged the Pope to yield, and when he refused they left the consistory in anger. D'Ailly, who was waiting outside, entered the room, and asked for Benedict's answer. The Pope, still sitting on his throne, with one or two cardinals around him, answered with indomitable spirit that he had been duly elected Pope, and would remain so as long as he lived. 'Tell our son of France,' he added, 'that until now we have held him for a good Catholic; but if from ill advice he is about to enter into error, he will repent it; but I pray you tell him from me to take good advice, and not incline to anything which may trouble his conscience.' Saying this the Pope left his throne, and D'Ailly mounted his horse to carry the news of his ill success to Boucicaut, who had already advanced to the Fort of St. André, twenty-seven miles from Avignon.

Benedict XIII. besieged in Avignon. September 1, 1398–April 10, 1399.

D'Ailly's mission had failed, and Boucicaut's was now to begin. He rapidly raised a body of troops, for many were eager to share in the plunder of Avignon. On September 1 the withdrawal of allegiance was proclaimed at Villeneuve, and Benedict's French supporters left him; eighteen of his twenty-three Cardinals went to Villeneuve and wrote to the French King proclaiming their renunciation of the stubborn Pope. The citizens of Avignon were not desirous of suffering a siege for the Pope's sake, and welcomed Boucicaut's soldiers into the city.

Benedict was besieged in his palace, where he made a stubborn defence. Victuals, however, began to fail, and all the store of fuel was set on fire and burnt. The two Cardinals who adhered to Benedict were captured in an attempt to escape, and were put in prison. Everywhere Benedict seemed to be deserted. Flanders, Sicily, Castile, and Navarre joined with France in the withdrawal of allegiance; only Scotland and Aragon still held by Benedict. The King of Aragon, in spite of Benedict's summons to him as gonfalonier of the Church, hesitated to enter into war with France for the sake of a priest. Still Benedict XIII. held out stubbornly, and his brother,

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Rodrigo de Luna, was energetic in introducing supplies. The besiegers attempted to enter the castle through a sewer which communicated with the kitchen, but were discovered, and were captured one by one as they slowly crawled out of their subterranean passage. This led to an exchange of prisoners, and the blockade was more strictly pressed. But the troubled state of France itself brought Benedict help. Among the numerous intriguers who gathered round the unhappy Charles VI., there were some who hoped to find Benedict useful for their own purposes, and who secretly exerted their influence with the King to save the Pope from being reduced to extremities. Orders were sent to Marshal Boucicaut that he was not to pursue the siege too vigorously, and the experienced general must have felt ashamed of the pitiful duty assigned to him. Ambassadors from the King of Aragon urged Charles VI. to a reconciliation. After much negotiation it was agreed that Charles should withdraw his troops and guarantee Benedict's safety at Avignon, provided Benedict promised that he would abdicate in case Boniface abdicated, died, or was ejected; that he would not hinder any plans for the union of the Church, and would be willing to attend any Council held for that purpose; that meanwhile he would not leave Avignon without the King's permission, and would receive guardians of his person appointed by the King. Benedict's resources were at an end, and he was obliged to accept these terms, which at all events gave him time.

Reaction in favour of Benedict XIII. 1399–1402.

On April 10, 1399, the King nominated as the Pope's guardians the College of Cardinals; but Benedict placed himself under the protection of the Duke of Orleans, who had already discovered how useful a Pope might be for his ambitious schemes. This matter was not decided for the present, but became of importance in the future. Already the French Court found that the reaction in favour of Benedict had set in, and that their course was full of difficulties. Three of the Cardinals, who in January 1399 had come to Paris to accuse Benedict of heresy, and urge sterner measures against him, were hooted by the people in the streets. The clergy also found, as was always the case, that the yoke of the Crown was heavier than the yoke of the Pope; they groaned over the impositions of the royal treasury, and began to regard the enthusiasm for the peace of

the Church as a convenient means of fiscal exaction from ecclesiastical revenues. In this state of public feeling the Court was glad of a truce with Benedict, who remained for the next four years a prisoner in his palace at Avignon eagerly watching the current of events.

Boniface IX. and Ladislas. 1394–95.

Meanwhile Boniface IX. at Rome had been feeling the pressure of this movement in behalf of unity; but the greater independence of his political position enabled him more safely to resist. Boniface was a clear-sighted statesman, and after his return to Rome in 1394 kept steadily in view the importance of strengthening his hold upon the city. The States of the Church were ravaged by the old opponents of the Pope—Biordo de' Michelotti, who had seized upon Assisi, Malatesta de' Malatesta, who had made himself lord of Todi, and Onorato of Fundi, who was always on the watch to attack the Pope, and who strove to raise among the Romans a party in favour of Benedict XIII.[1]

Boniface saw that his only hope of success against these foes lay in close alliance with Ladislas, who, in 1395, after capturing Aversa and Capua, laid siege to Naples. But the siege was broken up by some Provençal galleys, which routed the Papal fleet, and the final triumph of Ladislas was delayed for some years longer. Yet Boniface did not serve Ladislas for nothing; he obtained from him the investiture of the Duchy of Sora for his brother Giovanni Tomacelli. Boniface, like all other Popes who aimed at temporal sovereignty, felt the need of helpers whom he could trust. He carried on the nepotism of which Urban VI. had set the example; but he was more fortunate in his relatives. His brother Andrea, invested by him with the Duchy of Spoleto and the marquisate of Ancona, was an experienced soldier, and on him and Giovanni, Boniface mainly relied for counsel and aid. With the rise of a new Pope the relatives of his predecessor were swept away. The end of Francesco Prignano, the nephew of Urban VI., was tragic enough. Neglected by all on his uncle's death, and fearful for the future, he took

[1] Onorato of Fundi seems to have wished to act in the name of Benedict XIII.; see letter of Cardinal Galeotto da Pietra Mala to the Roman people in Martene, *Amp. Coll*, i. 1513: 'Per christianissimum Fundorum comitem, aut per oratores quos ad vos cum benignissimis literis suis sancta et sincera intentione refertis mittit vobis et vestro populo porrigendis, videbitis quod Benedictus iste pater non quærit quæ sua sunt, sed quæ Christi, quæ ecclesiæ, quæ vestræ, quæ cunctæ militiæ Christianæ.'

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refuge with Raimondello Orsini in one of his castles in the Abruzzi. There he grew day by day more melancholy at the thought of his fall, till at last one day, after a ball given by his host, he returned to his room and attempted suicide with a knife. On his recovery Raimondello feared to keep any longer so unpleasant a guest, and it was agreed that Francesco should hand over to him all that was left of his once vast possessions, the county of Altamura, in return for 12,000 florins, and an annual pension. When this was settled, Francesco set sail with his wife and mother to Venice; but on the way the ship was lost, and all the posterity of Urban VI. was swallowed in the waves.[1]

Effects of the policy of France on Boniface IX. 1396–98.

In all things Boniface IX. pursued with firmness and prudence his policy of establishing his hold over Rome and the dominions of the Church, and it is surprising to see how he succeeded amid the many difficulties by which he was beset. In 1396 was another rising of the Romans against him; some of the nobles of the city, in league with the Count of Fundi, conspired to put Boniface to death. Again King Ladislas lent his aid, and the rising was with difficulty put down. Thirteen ringleaders, in whose houses were found banners to wave before the rebel army, were executed, and the people of Trastevere were deprived of their franchises. Boniface determined to rule the Romans with a strong hand. Yet day by day his position became more insecure, as the steps taken by France to bring about a union of the Church became more decisive. The blows levelled at Benedict fell upon Boniface as well; the enforced abdication of one was regarded as the preliminary to the enforced abdication of the other. So soon as Charles VI. reduced Benedict to submission, it would be the duty of Wenzel to deal with Boniface. Hence Boniface saw with alarm the spread of French influence in Italy. Genoa, worn out with intestine discords, handed over to the King of France its signiory in October 1396. In vain Boniface tried to awaken the national jealousy of the English and enlist their sympathy. He appointed the

[1] Theod. a Niem, ii. ch. 31. 'Divino judicio vindictam repetente,' adds the vindictive chronicler.

[2] Cf. *Gior. Nap.* (Mur. xxi.) 1065: 'Per questo il Papa ne fece morire 13, che in casa loro foro trovate le bandiere co le quali per mezzo del Conte di Fundi volevano sollevare il regno.'

King's half brother, John Holland, Earl of Huntingdon, leader of a crusade in his behalf. But Richard II. adhered to his plan of a close alliance between himself and the French King. Nothing was done by the Earl of Huntingdon, and the internal troubles of the last years of Richard's reign rendered English intervention impossible. Yet Boniface was pestered with embassies and advice in the same way as Benedict. To the ambassadors of France and Spain he answered haughtily that he was the true and undoubted Pope, and had no intentions of resigning his office. A worthy hermit of the name of Robert, who at the end of 1396 undertook the task of visiting Rome and Avignon in the interests of peace, could get no better answer from Boniface than a declaration that he would not consent to place the justice of his cause in another man's hands. After the conference at Rheims between Charles VI. and Wenzel, Peter d'Ailly, the Bishop of Cambrai, was sent as joint ambassador of King and Emperor to the two Popes. He visited Boniface first, and found him at Fundi, where he met with an honourable reception. Boniface refused to answer him till he had consulted his Cardinals at Rome; then he replied that so soon as Benedict had resigned he was willing to submit to the advice of the Kings of England, Germany and Hungary, and would attend a General Council if they thought fit to summon one. When this answer was brought back to Wenzel, he said to D'Ailly, 'You will carry this to the King of France; according as he shall act, so will I and the Empire; but he must begin first, and when he has deposed his Pope, we will depose ours.'

Boniface IX. becomes master of Rome. 1398.

The Roman people meanwhile looked upon these embassies with suspicion. They might not like Boniface, but they were anxious to have a Pope at Rome. The year 1400 was drawing near, and they were looking forward to the rich harvest which they were likely to reap from the pilgrims who would flock to the jubilee. A number of the leading citizens hastened to Boniface after his interview with D'Ailly to assure themselves that he had no intention of leaving Rome. 'Whatever the Emperor or the King of France may do, I will not submit to their will,' was the answer of Boniface.

Indeed, the position of Boniface in Rome was gradually growing stronger. In February, 1397, Onorato of Fundi found it expedient

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to make peace with the Pope, and several of the Roman nobles also submitted. The affairs of Ladislas in Naples were at a standstill, owing to the defection of some of his chief adherents; but after many negotiations, their differences were referred to the mediation of Boniface, who arranged matters in June 1398. From this time the party of Ladislas was united, and the hopes of Louis began to fade away. One by one the chief barons of the Avignon faction began to reconcile themselves with Ladislas; and the power of the Pope over the States of the Church grew in proportion to the success of Ladislas in Naples. Aided by this and by the pliancy of the Romans, who had set their hopes on the rich harvest of the Jubilee, Boniface in 1398 proceeded more vigorously to establish his power over the city of Rome and appointed a vice-senator responsible only to himself. The Republican party amongst the Romans, headed by three of the former magistrates, formed a plot to throw off the Papal yoke, and allied themselves to the restless Count of Fundi, who promised to support their rising in the city by an attack on the gate of S. John Lateran. The vigilance of the vice-senator discovered the plot, and the ringleaders were beheaded; but Onorato of Fundi seized Ostia, and carried on a piratical war against the city, cutting off its supplies and hindering free communication with it. Boniface used the opportunity given by this unsuccessful rising to assert his supremacy over Rome, and the year 1398 was remembered as the epoch of the loss of the liberties of the city.[1] As other Italian cities let their municipal liberties fall into abeyance and submitted to the power of a despot, so the city of Rome fell under the sway of the Pope. Henceforth the old magistrates disappeared, and Rome was governed by a senator appointed by the Pope every six months. Moreover Boniface IX. took the same steps as other despots to secure his power. The Vatican palace was strongly fortified; the Castle of S. Angelo, which had been dismantled in the time of Urban VI., was restored and surmounted by a strong tower; the palace of the Senator on the Capitol was built up and fortified. Many poor priests laboured at this

[1] Thus Stella, *Annales Genuenses* (Mur. xvii. 1176): 'Summus Pontifex Bonifacius in merum fuit constitutus dominum Urbis Romæ, cujus prius idiotæ artifices dominium obtinebant.' So too Infessura: (Mur., III. part ii. 1115), 'ebbe lo Stato di Roma.'

work, carrying stones and cement in the vain hope of winning by their manual labour some ecclesiastical preferment from the Pope.[1] The Papal fleet was again revived, and Gaspar Cossa, of Ischia, was made admiral. Ostia was taken directly under the Pope's rule, and was repaired for purposes of defence. Boniface IX. shows in all his doings the keen practical sense which Urban VI. so entirely lacked.

Final success of Ladislas in Naples. 1399.

Secure in Rome, Boniface at once turned against his enemies. In May 1399 a solemn Bull of excommunication was issued against Onorato of Fundi, and the Papal troops, under Andrea Tomacelli, the Pope's brother, marched against him. Anagni fell at once before him, and the success of Ladislas in Naples made Onorato's position desperate. The barons of the Neapolitan kingdom continued to abandon the side of Louis and join themselves to Ladislas, till at last the adhesion of the powerful family of the Sanseverini left Ladislas conqueror. In July 1399 he sailed to Naples while Louis was absent at Taranto, and was quickly admitted by the citizens within the walls. Charles of Anjou, the brother of Louis, was besieged in the Castel Nuovo; and when Louis returned he found Naples in the hands of his rival. Feeling that his chances were lost, he made terms with Ladislas, surrendered the Castel Nuovo, ransomed his brother, and sailed away to Provence, leaving Ladislas in undisturbed possession of Naples. Onorato of Fundi now saw that his cause was hopeless, and was driven to make terms with the Pope, by which he gave up almost the whole of his possessions. Unable to bear the humiliation, he died in April 1400, and by his death Boniface became lord of Campania. In October 1399 another of the Pope's enemies, Giovanni da Vico, who had so long ravaged the Patrimony of S. Peter, was driven to submit. Freed from his most pressing foes, Boniface IX. could look forward to celebrate the Jubilee in triumph.

The Flagellants.

The end of the fourteenth century witnessed a profound outburst of popular devotion. The miserable condition of the Church, distracted by schism, and the disturbed state of every country in Europe, awoke a spirit of penitence and contrition at the prospect of another great Jubilee, and the opening of a

[1] Niem, *Schism* ii. 26: 'Ut sic gratias aliquas a beodem Bonifacio reportarent, et literas ejus super illis gratis haberent, quod pauci eorum consecuti fuerunt.'

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new century. Bands of penitents wandered from place to place, clad in white garments; their faces, except the eyes, were covered with hoods, and on their backs they wore a red cross. They walked two and two, in solemn procession, old and young, men and women together, singing hymns of penitence, amongst which the sad strains of the 'Stabat Mater' held the chief place. At times they paused and flung themselves on the ground, exclaiming 'Mercy,' or 'Peace,' and continued in silent prayer. All was done with order and decorum; the processions generally lasted for nine days, and the penitents during this time fasted rigorously. The movement seems to have originated in Provence, but rapidly spread through Italy. Enemies were reconciled, restitution was made for wrongs, the churches were crowded wherever the penitents, or 'Bianchi,' as they were called from their dress, made their appearance. The inhabitants of one city made a pilgrimage to another and stirred up their devotion. The people of Modena went to Bologna; the Bolognese suspended all business for nine days, and walked to Imola, whence the contagion rapidly spread southwards. For the last three months of 1399 this enthusiasm lasted, and wrought marked results upon morals and religion for a time. Yet enthusiasm tended to create imposture. Crucifixes were made to sweat blood; a fanatic declared that he was the Prophet Elias, and foretold the impending destruction of the world. Crowds of men and women wandering about, and spending the night together in the open air, gave reason for suspicion of grave disorders.[1] Boniface, like the Duke of Milan and the Venetians, as a cautious statesman in troublous times, doubted the results that might occur from any great gatherings of people for a common purpose. He was afraid lest his enemies might seize the opportunity and hatch some new plot against him. When the bands of the Bianchi reached Rome in the year of Jubilee, he discountenanced and finally dissolved them. The movement passed away; but it has left its dress as a distinctive badge to the confraternities of mercy which are familiar to the traveller in the streets of many cities of Italy.

In the Jubilee of 1400 crowds of pilgrims flocked to Rome.

[1] Theodoric a Niem plaintively mentions the robbery of orchards as one of the minor inconveniences to prosaic minds, 'repertos fructus in arboribus totaliter devorando.'—*Schism*, ii. ch. 26.

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The Jubilee of 1400.

Although it was but ten years since the last Jubilee was celebrated, still to many pious minds the original intention of granting these indulgences at intervals of a hundred years gave a solemnity to this Jubilee which had been possessed by none since the first institution in 1300. From France especially pilgrims are said to have come in crowds; but the results of their crowding into Rome were disastrous. The plague broke out among them and spread rapidly throughout Italy. In Florence alone from 600 to 800 died daily; in Naples the loss was computed at 16,000. It is said that in some places two-thirds of the population was destroyed. But, though Rome was stricken by the plague, Boniface did not dare to leave it, lest he should lose his hold upon the city which he had won with such difficulty.

Rising of the Colonna in Rome. A.D. 1400.

The resistance was indeed stubborn, and needed a strong hand prompt to repress. The powerful house of the Colonna of Palestrina saw with resentment the danger which threatened their relative, the Count of Fundi. Their hereditary antagonism to the political power of the Papacy made them join the side of the anti-pope in the Schism, and they looked with alarm at the spread of the papal power in Rome. They allied themselves with the discontented republicans in Rome, and on a dark night in January, Niccolò and Giovanni Colonna, with a troop of 4,000 horse and 4,000 foot, dashed through the Porta del Popolo and made for the Capitol, raising the cry 'Long live the people: death to the tyrant Boniface!' The Pope in alarm took refuge in the Castle of S. Angelo, but the senator, Zaccaria Trevisano, a Venetian, manfully defended the Capitol, and the Roman conspirators shrank back when they found that the mass of the people refused to rise at the Colonna cry. When morning dawned, the Colonna found it wise to retire: thirty-one were made prisoners in the retreat, and were promptly hanged. As the public executioner could not be found, one of the captives was promised his life on condition that he would put the others to death; with face streaming with tears, he hanged his comrades, amongst whom were his own father and brother. Boniface IX. showed his gratitude to the senator by the grant of a yearly pension of five hundred florins of gold. In May, after the death of the Count of Fundi, he judged himself strong enough to proceed against the Colonna. Their

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possessions were laid under an interdict, themselves were excommunicated, and a holy war was proclaimed against them. The Papal forces were reinforced by Ladislas, and several of the Colonna castles were captured; but Palestrina defied the Papal arms, till in January 1401 the Colonna found it wise to come to terms. Boniface IX. had learned from the example of his predecessor Boniface VIII. the unwisdom of driving this powerful family to extremities. On receiving their submission, he confirmed them in their possessions; even Jacobello Gaetani, the son of Count Onorato of Fundi, was allowed to retain some part of his father's lands. Boniface was sufficiently prudent not to raise up implacable enemies by advancing lofty pretensions which he could not maintain. On November 18 in the same year Viterbo also, worn out by internal discords, acknowledged the Papal sway.[1]

Affairs in Germany. 1396–1400.

Thus Boniface by his persistent skill had established his rule over Rome, and had reduced to submission the enemies around him. In Germany also his policy met with a triumph. King Wenzel had so far agreed with the policy of Charles VI. of France that he had promised to compel Boniface to abdicate if Charles was successful in his endeavour to force Benedict to this step. But Wenzel's position in Germany did not allow him to do anything decided, even if he had had the will. His father, Charles IV., had transferred to the eastern provinces the supremacy over Germany; and he had cautiously maintained his position by a close union with the Bohemian people. Wenzel had to face the natural jealousy of the purely Germanic states at the Sclavonic policy of the house of Luxemburg, and he had not his father's wisdom in dealing with Bohemia. Profligate and drunken, with all a drunkard's capriciousness and savagery, he set the clergy against him by his open mockery of their weaknesses, and made himself many enemies amongst the Bohemian barons. Germany, neglected by the King, was in a state of anarchy, and the prevailing discontent found expression in plots against Wenzel. The Pfalzgraf Rupert was the natural leader of opposition, and found a strong supporter in John, Archbishop of Mainz, a count of the house of Nassau, who, in spite of another election by the chapter and the opposition to Wenzel, managed in 1396 to obtain his archbishopric

[1] Theiner, *Codex Dominii Temporalis*, iii. 60

by the payment of large sums of money to Boniface IX. The Archbishops of Trier and Köln followed John of Mainz, and the league of the Rhenish electors sought the help of Boniface IX. to support them in the deposition of Wenzel. Boniface was dissatisfied with Wenzel's attitude towards him since his conference with Charles VI. at Rheims in 1398. Before Wenzel went to Rheims, Rupert wrote him a long letter of remonstrance, in which he warned him that, if he withdrew from obedience to the Pope, who had confirmed him as King of the Romans, it was possible that the electors might withdraw their allegiance from himself.[1] Still Boniface IX. was too cautious to declare himself openly on the side of the discontented electors. So late as August 26, 1400, he wrote to Wenzel assuring him that he was prepared to uphold his cause even to the point of shedding his own blood.[2] Yet two years later he took credit to himself that it was his support and authority that emboldened the electors to proceed to Wenzel's deposition. The attitude of Boniface towards Germany was astute rather than straightforward; he was prepared to be on the winning side, whichever that might be.

Deposition of Wenzel. August, 1400.

At length, in 1400, the plans of the Rhenish Electors were ready. Wenzel was involved in troubles in Bohemia, and his brother Sigismund was equally busy with his kingdom of Hungary. The four Rhenish electors met at Lahnstein on August 11, and decreed the deposition of Wenzel. It was a bare majority of the Electoral College that proceeded to carry matters with so high a hand; the Electors of Saxony and Brandenburg stood aloof. On August 20, the decree of deposition was read by John of Mainz to the assembled people. It set forth that Wenzel had not striven to end the Schism and promote the unity of the Church, that he had not established peace and order in Germany, and that he had diminished the rights of the Empire in Germany.

[1] In Martene, *Thesaurus*, ii. 1172: 'Nam possent subditi vestri dicere: Tu non vis obedire illi qui te confirmavit in regnum, et nos non intendimus etiam tibi obedire, neque tenemur, quia nondum es rex. Si autem tu es vere confirmatus et denegas obedientiam confirmanti, justum est et rationabile quod nos etiam tibi denegemus.'

[2] Pelzel, *Urkundenbuch*, ii. 428, gives the letter which Wenzel sent to Regensburg to show that the Pope was on his side: 'Studio paternæ teneritudinis erimus indefesso, usque ad proprii effusionem sanguinis pervigiles et intenti.'

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Charges against Wenzel.

The first two charges against Wenzel demanded of him tasks which were beyond his power; but on the third head of accusation there was a strong case against him. Since the accession of Giovanni Galeazzo Visconti to the lordship of Milan, in 1378, the peace of Northern Italy had been disturbed by his struggles for self-aggrandisement. He added to his dominions Verona, Vicenza, Padua, and Siena, and pressed hard upon Florence, which was the bulwark of the remaining liberties of Italian cities. But Giovanni Galeazzo was not content with possession; he wished also for a semblance of legitimacy to his conquests. At first he called himself Count of Vertus, from the small French county which he inherited from his wife Isabella, daughter of John of France; but in 1395 he bought from the needy Wenzel, for 100,000 gulden, the title of Duke of Milan, and agreed to hold his lands as fiefs of the Empire. In 1397 Wenzel conferred on him the further title of Duke of Lombardy, and the right of bearing in his arms the Imperial eagle. Wenzel made this new creation without consulting the princes of the Empire, who were indignant at this addition to their number. He also sold for money a title over cities which had been forcibly seized, and so used the Imperial mantle as a cloak to deeds of violence and oppression. His recognition of Giovanni Galeazzo awakened the alarm of the Florentines, who lent their powerful aid to help the electors and bring about Wenzel's fall.

Election of the Pfalzgraf Rupert as King of the Romans. 1400.

Such were the formal grounds for Wenzel's deposition. The real grounds were the private grievances of the electors, and the fact that the vices, incompetence, and indolence of Wenzel had so weakened his hold upon Germany that it was safe to act against him. On the day following the declaration of Wenzel's deposition the electors chose the Pfalzgraf Rupert to be King of the Romans. Rupert possessed all the qualities of a ruler; he was surnamed 'the mild' from his gentleness, and was just, upright, devout and learned, so that in all points he was a contrast to the luckless Wenzel. Still he was not recognised at first by any but the states along the Rhine, and Boniface IX., afraid of alienating Bohemia, Hungary, and Poland, refused to commit himself to his cause. Wenzel, however, failed to receive even his brother's support; for Sigismund was too cautious to help him without securities which Wenzel de-

clined to give. Dissension broke out between the two brothers; Wenzel did not move and his adherents fell away; disturbances arose in Hungary, and Sigismund was imprisoned by his rebellious subjects. Rupert on his side had small resources at his command, and despaired of making much way in Germany by force of arms, but judged the opportunity favourable for an expedition into Italy, by which he might overcome the hesitation of the Pope, vindicate the rights of the Empire over Milan, and return with the prestige of the Papal approbation and the dignity of the Imperial crown. He accordingly negotiated with Boniface for his coronation, which Boniface agreed to perform on condition that Rupert undertook to make no treaty with the King of France, take no part in measures for ending the Schism without the Pope's consent, and do his utmost to reconcile France and other schismatic countries with himself as the one true Pope. Boniface IX. was resolved to drive a hard bargain, and Rupert's troubles would be great before he accepted it.

Rupert's Italian expedition. October 1401–April 1402.

The Florentines hailed Rupert's coming as a means of striking a blow against the alarming power of the Duke of Milan, and promised money and supplies. But Rupert's Italian expedition was even more inglorious than those of his predecessors. He marched from Trent against Brescia (October 24, 1401), where his army was attacked by Gian Galeazzo's condottiere general, Facino Cane. The Duke of Austria was taken prisoner and released in three days without ransom; stories of treachery were spread, and the Duke of Austria angrily withdrew. Rupert's army began to diminish, and he found that supplies did not flow in as he had hoped from the Pope or the Florentines. Without these he was helpless, and after a few ceremonial receptions at Padua and Venice, he retired ingloriously to Germany, in April 1402.

Death of Giovanni Galeazzo Visconti. September 1402.

No sooner had Rupert departed from Italy than Gian Galeazzo Visconti prepared for new aggressions. His troops, under Alberigo da Barbiano, marched upon Bologna, inflicted a severe defeat upon the Florentines, and took the city. Florence was reduced to the lowest ebb. She saw herself surrounded by the arms of the Duke of Milan, her supplies threatened, and her trade ruined. But, in September 1402, Gian Galeazzo died suddenly of the plague, and Italy began to breathe anew. Gian

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Galeazzo Visconti was a man of great force and determination, who had gone far to establish his power as supreme over North Italy; but his conquests were made by force, and rested on force only. He was skilful in making acquisitions, but he had neither the talents nor the time to weld them together into a state. His rapid advance spread universal terror, but his power died away with the strong hand that created it, and the most lasting impress that he left in Italy are the two mighty monuments of the Cathedral of Milan and the Certosa at Pavia. In their luxuriant magnificence and wild splendour we can still trace the restless ambition and undisciplined desires of the passionate spirit of him who designed them as memorials of his glory.

Boniface IX. recovers Bologna and Perugia. 1403.

With the death of Gian Galeazzo his power fell to the ground. His dominions were divided amongst his three young sons, who were helpless to protect them. The Florentines and the Pope entered into an alliance. Alberigo da Barbiano left the side of the Visconti and took service under the Florentines. Boniface sent as his legate Cardinal Baldassare Cossa, who knew how to promote his master's interests. There were commotions in all the cities under the rule of the Visconti, and when the joint army of the Pope and the Florentines entered the Bolognese territory, in June 1403, they gave the signal for universal revolt. The Visconti thought it wise to detach the Pope from the Florentines, and entered into a secret treaty with the legate, giving up to the Pope Bologna, Perugia, Assisi, and other towns which had been taken from the States of the Church. On August 25 this treaty was published, to the mortification of the Florentines, who found that no mention was made of their interests, and that they were abandoned by their ally. On September 2, Cardinal Cossa entered Bologna; in October, Perugia opened its gates to the Pope's brother, Gianello Tomacelli. It was in vain that the Florentines sent ambassadors to the Pope to beseech him not to ratify the treaty made by his legate, and not to abandon the league disgracefully. Boniface eluded their remonstrances by delays, and confirmed the treaty. He had reason to be satisfied with the success that attended his efforts to restore the Papal sovereignty over the States of the Church.

As regards German affairs, the death of Gian Galeazzo was

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Italian schemes of Sigismund of Hungary. 1402.

of some moment. Rupert returned from his Italian expedition with ruined prestige, and Wenzel's cause rose in proportion. It was now Wenzel's turn to plan an expedition to Rome, that he might return with the glory of the Imperial crown. But troubles arose in Bohemia, and Wenzel was entirely dependent on the help of his brother Sigismund, who so managed matters as to get Wenzel entirely into his own hands. He kept him prisoner, and intended to use him as a tool. Wenzel's health was broken by debauchery, his life was uncertain, and he had no children; at his death Sigismund would inherit Bohemia, and thought it well to begin in good time to arrange its affairs. He therefore proposed to take Wenzel to Rome, and have him crowned Emperor by the help of the Duke of Milan, who was not sorry to have an opportunity of using his power under the guise of the Emperor's orders. This dangerous threat to Rupert and the Pope came to nothing on Gian Galeazzo's death; but it set Boniface IX. to discover a means of keeping Sigismund employed at home.

Proceedings of Boniface IX. against Sigismund and Wenzel. 1402–1403.

Sigismund's position in his Hungarian kingdom had always been a difficult one. He held his title by virtue of his marriage with the Queen Maria, and, after the murder of Charles of Naples, had been crowned, in 1387. But he quarrelled with his wife, he offended the Hungarian people, and suffered a crushing defeat in an expedition against the Turks at Nicopolis, in 1396. On his inglorious return there were disturbances in Hungary, and Sigismund was imprisoned by his rebellious subjects, who turned their eyes to the old house of Durazzo for a leader, and had called Ladislas to assert his father's claims on Hungary. But at that time Ladislas had enough to do in Naples to make head against Louis of Anjou; Sigismund was freed from prison, and there was peace for a time. But when Sigismund began to threaten an expedition into Italy for the crowning of his puppet Wenzel, it was easy for Boniface to find him work at home, now that the hands of Ladislas were free. Early in 1402, when Sigismund first began to talk of an expedition to Rome, Ladislas sent five galleys with troops into Dalmatia, and the rebels in Hungary again began to raise their heads. At the end of May, Boniface in a secret consistory declared Ladislas king of Hungary, and on June 1 appointed Cardinal Angelo Acciaiuoli Papal legate in the Hungarian kingdom.

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In July Ladislas landed at Zara, and on August 5 was crowned king of Hungary in the presence of the Papal legate. Sigismund retaliated on the Pope with vigour; he forbade both in Bohemia and Hungary the payment of any money to the Papal treasury; he prohibited the publication of any Bulls, letters, or ordinances, and threatened imprisonment to any one who corresponded with the Roman Court. Boniface met this by a formal decree of deposition against Wenzel, in which he asserted that the proceedings of the electors had been taken with his sanction,[1] and confirmed the election of Rupert, without requiring the conditions which he had previously attempted to enact. He judged it prudent to secure Rupert's allegiance, lest he should make common cause with France and England, and join them in withdrawing from obedience to both Popes alike. When Ladislas advanced into Hungary, he received a severe defeat near Raab, and was driven back to Dalmatia. The fate of his father Charles seemed to him an evil omen; he felt that his Hungarian partisans could not be trusted, and he wisely decided that a secure kingdom in Naples was better than the uncertainties of a tedious war waged for a precarious throne in Hungary. Sigismund showed his wisdom by offering amnesty to the rebels. Ladislas saw that his chance was gone, and at the end of October returned to Naples. The Pope's schemes upon Hungary had failed disastrously, as Sigismund held to his edict, forbidding Papal intervention in his kingdom, and thenceforth disposed of ecclesiastical offices at his own pleasure.

Reaction in France against the withdrawal of obedience from Benedict XIII. 1402–1403.

As regards the Schism, Boniface IX.'s position was too purely that of an Italian prince for him to make any real head against his rival. In France it was found that no good results had followed from the withdrawal of allegiance from Benedict. The example set by France had not been universally followed, for Scotland and Aragon still held to Benedict. The French clergy groaned under the taxation of the royal officers, and found that the liberties of their Church had been more respected by the Pope than they were by the King, who, on the ground that his efforts to end the Schism involved him in great expense, demanded large sums from the clergy. Even the University of Paris saw its privileges set aside, as the bishops, to whom passed

[1] Bull in Rayn., 1403, § 4: 'Ad ipsius Wenceslai depositionem seu amotionem præfato Romano imperio auctoritate nostra suffulti concorditer processerunt.'

the collation of benefices hitherto reserved by the Pope, paid little heed to the claims of learned theologians, and conferred preferment on officials who were useful to themselves. It was natural that a reaction should set in, and the state of parties at the French Court gave it a leader. In the madness of Charles VI. France became the prey of contending factions, headed by the King's brother, the Duke of Orleans, and the King's uncle, the Duke of Burgundy. Orleans represented the side of aristocratic culture against the feudal chivalry which gathered round Burgundy. It was natural that Orleans should find his strength in the South of France, and Burgundy in the North; that Orleans should try to strengthen himself by restoring Benedict, and that Burgundy should maintain the existing attitude of affairs. The Duke of Orleans openly threatened, in the King's presence, to take up arms in behalf of Benedict, who was consequently more closely watched in his captivity at Avignon. The ambassadors of Aragon urged the release of Benedict: the University of Toulouse, moved by jealousy of the University of Paris, addressed to the King a long letter controverting the grounds on which the University of Paris had advocated the withdrawal of allegiance. Louis of Anjou, on his return from his unsuccessful attempt on Naples, determined to support the Pope on whose sanction his claims on Naples were founded: he visited Benedict at Avignon on August 31, 1402, and restored obedience to him within his county of Provence, on the ground that he had never given his consent to the withdrawal, which had been proved to be useless in restoring the unity of the Church, and was founded neither on human nor divine law.[1] Opinion was so divided in France that the King's counsellors thought it wise to summon the nobles and prelates of the realm to a Council, to be held in Paris on May 15, 1403. But before this assembly could meet, Benedict XIII. and the Duke of Orleans had settled matters for themselves.

Escape of Benedict XIII. from Avignon. March 12, 1403.

The nobles round Avignon all belonged to the party of Orleans, and were ready to help the Pope, who secretly gathered together a body of four hundred men-at-arms who awaited him outside the city; he himself only awaited a favourable moment to evade the vigilance of the Cardinals and citizens of Avignon. A Norman baron, Robert de Braquemond, who was in the service

[1] See letter of Louis, in Martene, *Thesaurus*, ii. 1263.

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of the Duke of Orleans, devised means for his escape, and on the evening of March 12, Benedict, in disguise, accompanied by three attendants, managed to pass the guards and quit the palace. He took nothing with him save a pyx containing the Host, and an autograph letter of the French King, in which he promised to the Pope filial obedience. Once free from prison, Benedict found himself in the midst of adherents. He took refuge in a house in Avignon where a company of French gentlemen awaited him. They kissed his feet, and paid him again the honours of which for five years he had been deprived. A band of troops were waiting outside the gates, and Benedict was hurried away under their care to Château Renard, a few miles from Avignon. There he could feel secure, and laid aside the outward sign of his humiliation—his beard, which had grown long, as he had made an oath never to shave it while he was a prisoner. He could afford to laugh good-humouredly at those who had shown him the greatest insolence; he asked the barber what county he came from, and on hearing that he was a Picard, he merrily exclaimed, 'Then I have proved the Normans liars, for they declared that they would shave my beard for me.'

Moderation of Benedict XIII.

At Château Renard, Benedict could rely on the protection of Louis of Anjou, and he knew what he had to expect from the Duke of Orleans. In Avignon all was terror when the Pope's flight was discovered: the burghers at once saw their powerlessness, and offered no opposition to the departure of the Pope's attendants and of the Cardinals who had remained faithful to him. The Cardinals who had been opposed to him sought all means to be restored to his favour; the nobles who had been against him vied in declarations of the necessity of restoring obedience. Benedict addressed a letter to the King, his counsellors, and the University, setting forth that he had been willing for some years to endure privations for the good of the Church, but finding that they were useless, he had left Avignon and gone to Château Renard, that he might labour more usefully to restore the union of the Church. To the repentant Cardinals he showed himself merciful. On April 29 they presented themselves before him, and on their knees, with sobs, begged his forgiveness, and swore to be faithful for the future. Benedict was not revengeful; his determined temper was united with buoyancy, and a keen sense of humour. He assured them of his forgive-

ness[1] and invited them to dinner. When they were seated, they saw with terror that the other places were occupied by men in arms. Trembling, they expected punishment, but were grimly assured that these were the Pope's body-guard, who never left his side even when he said mass. It was a significant hint that Benedict henceforth was determined to protect himself even against those who ought naturally to be his supporters. Nor were the Cardinals the only ones who were alarmed at the Pope's military guise. The citizens of Avignon, in terror, besought his pardon, which was accorded on condition that they repaired the walls of the Papal palace, which had been overthrown during the siege. Long time they laboured at this ungrateful task. But Benedict refused again to take up his abode at Avignon; he garrisoned it with Aragonese soldiers, and provisioned it to withstand a lengthy siege. The men of Avignon were left to the tender mercies of the Pope's mercenaries.

Restoration of the obedience of France to Benedict XIII. May 28, 1403.

On May 25, two of the repentant Cardinals appeared before Charles VI. to plead for a restoration of obedience to Benedict. The Universities of Orleans, Angers, Montpellier, and Toulouse all supported them. There were great differences of opinion, and the discussions might have gone on interminably if the Duke of Orleans had not hastened to bring the matter to a conclusion. He ordered the metropolitans to enquire secretly the opinions of their suffragans, and when he found that a majority was in favour of renewing obdience, he presented himself, on May 28, before the King, whom he found in his oratory, and laid before him the result of his canvass.

It was one of the lucid intervals of the unhappy Charles; he was moved by the representations of Orleans, and by his own respect for the Pope's character and learning, and gave his adhesion to the plan of renewing obedience. The Duke took the crucifix from the altar and prayed the King to confirm his words by an oath. Laying his trembling hands upon the crucifix, the King declared, 'I restore full obedience to our lord Pope Benedict, declaring, by the holy cross of Christ, that I will maintain so long as I live inviolate obedience to him, as the true Vicar of Jesus Christ on earth, and I will cause obedience to him to be restored in all parts of my kingdom.' Then kneeling at the altar, with clasped hands, the King chanted the 'Te

[1] The terms of peace are given in Martene, *Thes.* ii. 1266.

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Deum,' in which those present joined with tears of joy. The churches in Paris re-echoed the 'Te Deum,' and their bells rang joyous peals for the restoration of their Pope.

The Dukes of Berri and Burgundy were at first indignant, as was the University of Paris, but after a time they gave way, and professed to hope that the lesson which Benedict had received might make him more eager to bring about the union of the Church than he had been before. On May 29, a solemn service of thanksgiving was held in Notre Dame, at which the Bishop of Cambrai preached, and read an undertaking made by the Duke of Orleans, in behalf of Benedict, that he would forgive all that had passed, and would recognise all ecclesiastical appointments made during the withdrawal of obedience; that he was still ready to resign if his rival should resign or die; that he would summon a General Council to discuss measures for the reform of the Church.[1] No promises could be fairer; the reforming party rejoiced to think that they would get more, after all, from the Pope than they could hope to gain by rebellion against him.

Difficulties of the restoration of obedience.

But all hopes founded on Benedict's moderation were soon dashed to the ground. He received most graciously the two royal ambassadors who were sent to announce to him the restoration of obedience; but immediately after giving them audience he sent a commission of Cardinals to call to account one of them, the Abbot of St. Denys, who had been appointed during the period of withdrawal of obedience. His election was declared null, an enquiry was made into his life and character, and he was then formally reappointed to his office. Benedict fell back upon the full rights of the Papacy; he was willing to overlook the rebellion against his authority, but he could not recognise as valid what had been done during his imprisonment. The rights of the Papacy stood in antagonism to the honour of the French monarchy. The French King had taken an untenable position, from which he was driven to withdraw. Benedict did not wish to put any needless difficulties in the way, nor to make any demand for humiliating submission; but he could not be expected to admit the principle that a king might withdraw at pleasure from obedience to the Head of the

[1] An account of all this is given in the appeal made by the University against Benedict, printed in Martene, *Thes.* ii. 1295.

Church, might arrange at his will matters ecclesiastical in his own dominions, and might then demand the ratification of his measures as a reward for the restitution of obedience. On the other hand, the proceedings of the French King had been taken in a period of emergency to remedy a pressing evil. It was sufficiently humiliating that they had failed in their end; it was too much to expect that they should also be admitted to have been illegal in their means.

Benedict saw the difficulty and acted wisely. He asserted his own rights quietly in individual cases without putting forward any principles which might offend the feeling of the French nation. Yet his attitude made any good understanding between himself and the Court impossible. It was to no purpose that, in October, the Duke of Orleans paid a visit to Benedict, who owed him so much, and tried to bend his stubbornness. Benedict was grateful and polite, but would not confirm the promises which the Duke had made in his name. The King met the difficulty by an edict (December 19), which declared that all ecclesiastical appointments made during the withdrawal of obedience were valid, and that no payments should be made to the Pope of any moneys which he might claim as due to him during that period. Benedict on his part gave way a little, and the Duke of Orleans was able to take back to Paris a few delusive Bulls which announced forgiveness of all wrongs during the withdrawal of obedience, announced also a General Council, and promised that, through paternal care for the honour of France, no mention of the withdrawal should there be made; another Bull declared Benedict's intention to labour in all ways to bring about the union of the Church.

Death of Boniface IX. October 1404.

Benedict found it necessary to make some show of taking steps towards restoring the unity of the Church. He secretly negotiated with Boniface that he should receive his envoys, and in June 1404 obtained a safe-conduct for them, through the mediation of the Florentines. The Bishops of S. Pons and Ilerda appeared, on September 22, before Boniface IX. and his Cardinals. They brought from Benedict proposals for a conference between the two Popes in some neutral place to be agreed upon between them,[1] and suggested the appointment of

[1] We have an account of this embassy from Benedict himself, in a letter to the French King, in Martene and Durand, *Amplissima Collectio*, vii. 686.

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a committee to be chosen equally from both sides, who should report upon the questions in dispute. It was the old proposal of Benedict to the French King, and was clearly useless and delusive. Boniface was suffering agonies from the disease of which he died—the stone. He sternly answered the proposals of the ambassadors in the negative. 'I am Pope,' he proudly said, 'and Peter de Luna is antipope.' 'At least,' answered the envoys, 'our master is not simoniacal.' Boniface angrily bade them leave the city at once. It was his last effort: he returned to his bed, and died in the tortures of his terrible disease on October 1.

Boniface IX. was a skilful ruler, who knew how to use for his own interest the fluctuations of Italian politics. Among the Italian princes of his time he would deservedly hold a high position for wisdom in gathering his states together, and skill in repressing their disorders. He made good his hold upon Rome, destroyed its old municipal liberties, and established himself in a security which his predecessors had never gained. Rome found in him a stern and powerful ruler, and the unruly city quailed before a master.[1] He brought together again the States of the Church, and established the Papacy as a territorial power in Italy. Tall, stalwart, and handsome, with kindly and courteous manner, he was well fitted to be a ruler of men. Yet he was destitute of any elevation of mind, either on the side of religion or of culture. His ends were purely temporal, and he had no care for the higher interests of the Church. The Schism seems to have affected him in no way save as a diminution of his revenues. To gain the sovereignty which he aimed at, he saw that money was above all things necessary, and no sense of reverence prevented him from gaining money in every possible way. His shameless simony filled with horror contemporaries who were by no means scrupulous;[2] and his greed was strong even in death. When asked, in his last hours, how he was, he answered, 'If I had more money, I should be

Benedict is anxious to show that his ambassadors did not derogate from his pretensions in their interview with Boniface. 'Salutantes eundem, biretis depositis atque aliquantulum capitibus inclinatis, nulla tamen eidem per eos alterius generis reverentia exhibita.' Compare Theodoric a Niem.

[1] Gobelin, *Cosmodromion*, Æt. vi. ch. 84: 'Romanis non solum ut Papa sed tanquam rigidus Imperator dominabatur.'

[2] Niem, *de Schism.* ii. ch. 11.

well enough.' 'Even amid the intolerable agonies of the stone,' says Gobelin, 'he did not cease to thirst after gold.'[1] At all periods of his life his spirits rose on receiving money, for he was eminently a man of business, and took a practical view of his position and its immediate needs. Even when mass was being celebrated in his presence, he could not disengage his mind from worldly affairs, but would beckon cardinals to him or send for his secretaries to give them instructions which flashed through his mind. He was entirely engrossed in secular matters, and managed the Church as though it were merely a temporal lordship. Yet his worst enemies could bring no worse charge against him; he was free from private vices, and was respected as much as he was feared. In another age the statesmanlike qualities of Piero Tomacelli would have deserved admiration; as it was, his rapacity and extortion warned the growing party in favour of reform of the dangers to which the ecclesiastical system was exposed from the absolute monarchy of the Pope.

[1] *Cosmodrom.*, Æt. vi. ch. 87.

## CHAPTER IV.

### INNOCENT VII.; BENEDICT XIII.

### TROUBLES IN ITALY AND FRANCE.

### 1404–1406.

BOOK I.

Disturbance at Rome on the death of Boniface IX. October 1404.

THE career of Boniface IX. was that of an aspiring Italian prince, and the fortunes of his dominions corresponded to the means by which they had been won. No sooner was the news of the death of Boniface spread through the city than the people rose to assert their old liberties (October 1). The streets were barricaded, the nobles hurried with their retainers from the country, and the old cries of 'Guelf,' 'Ghibellin,' 'Colonna,' 'Orsini,' were again heard in the city. The Capitol was held by the two brothers of Boniface and by the Senator. The people, led by the Colonna, hastened to attack it; but the Orsini gathered their partisans, and advancing by night to the relief of the Capitol, defeated the Colonna in a fight in the streets.[1] The defeated party turned for help to Ladislas of Naples, who had already shown a desire to mix in the affairs of Rome.

Election of Cosimo dei Migliorati. October 17, 1404.

It was in this wild confusion, and with the knowledge of the rapid advance of Ladislas, that the nine Cardinals present in Rome entered the Conclave on October 12. The ambassadors of Benedict, who had been imprisoned during the tumult by the Castellan of S. Angelo, and only obtained their liberty after payment of a ransom of 5,000 ducats, besought the Cardinals to defer the election. They were asked if they were commissioned to offer Benedict's resignation; when they answered that

[1] A vivid description of the wild confusion in Rome is given in a letter of the ambassador of the Teutonic knights in Voigt, *Stimmen aus Rom*, in Von Raumer's *Historisches Taschenbuch*, vol. iv. 178, &c. Voigt has erroneously dated the letter 1406, on the death of Innocent VII., to which it does not apply.

they had no power to proceed so far,[1] the Cardinals went on to their election. The public opinion of Europe so far weighed with them that they followed the example of the Cardinals at Avignon, before the election of Peter de Luna: they signed a solemn undertaking that each of them would use all diligence to bring about the unity of the Church, and that he who might be chosen Pope would resign his office at any time, if need were, to promote that object. It is said that they had some difficulty in coming to an agreement;[2] but the approach of Ladislas did not permit them to delay. On October 17 they elected Cosimo dei Migliorati, a Neapolitan, who, they hoped, would be alike well pleasing to Ladislas and to the Romans, and whose pacific character held out hopes of a settlement of the discords of the Church.

Migliorati was sprung from a middle-class family of Sulmone, in the Abruzzi. He was learned both in canon and in civil law, and entered the Curia under Urban VI., where his capacity for business won him speedy advancement. He was for some time Papal collector in England, then was made Archbishop of Ravenna in the room of Pileo, and afterwards Bishop of Bologna. Boniface IX. recognised his merits by appointing him Cardinal, and confided to his care the chief part of the business of the Curia. He was popular in Rome through his conciliatory manner and gentle nature; he was, moreover, universally respected for his learning and his blameless life. He was, however, old, and the Romans felt that in him they had not got another master like Boniface.

Ladislas in Rome. October 19–November 4, 1404.

Cardinal Migliorati took the Papal title of Innocent VII., but it was some time before he could openly assume the Papal crown. He possessed nothing except the Vatican and the Castle of S. Angelo, which a brother of Boniface still held securely; in the city itself only the Capitol resisted the people, who declared that they would only let the Pope be free when he had given them back their freedom.[3] In this state of things

[1] Letter of Innocent to Duke of Berri, Martene and Dur., *Amp. Coll.* vii.: 'Responderunt se mandatum ad eam rem non habere nec id consonum juri suo arbitrari.'

[2] Infessura, Mur., III. pt. ii. 1116: 'fu molta discordia trai Cardinali per fare lo Papa.'

[3] *Gentilis Delphini Diarium* (Mur., III. ii. 844): 'Romani non li volevano dare la libertà, ma volevano essere liberi.'

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Ladislas arrived at Rome, and was received in triumph by the people. He entered by the gate of S. Giovanni in Laterano, on October 19, and spent the night in the Lateran palace, whence, on the morning of the 21st, he went in state to the Vatican to offer his services as mediator to the luckless Pope.

Ladislas had a deep-laid scheme to make himself master of Rome. As soon as he was secure in Naples, his restless and ambitious spirit looked out for a new sphere, and he determined to increase his dominions at the expense of the States of the Church. Boniface in his later days had looked upon him with growing suspicion, and so long as Boniface lived he did not venture to move; but he hastened to take advantage of the disturbance which broke out on the death of Boniface, and there is good ground for thinking that he fomented it. His plan was to set the Pope and the Roman people against one another, and by helping now one and now the other to get them both into his power; by this policy he hoped that Rome itself would soon fall into his hands.[1] He trusted that the rebellious Romans would drive the Pope from the city, and would then be compelled to submit to himself.

Against such a foe Innocent VII. was powerless. He had no option save to allow Ladislas to settle matters between himself and the Romans. An agreement was accordingly made on October 27 which was cleverly constructed to restore to the Romans much of their old freedom, to secure to Ladislas a decisive position in the affairs of Rome, and to reserve to the Pope a decent semblance of power. The Senator was still to be appointed by the Pope; the people were to elect seven governors of the city treasury, who were to hold office for two months, and were to take oath of office before the Senator; to these seven three were to be added by the appointment of the Pope or of King Ladislas, and the ten together were to manage the finances of the city. All magistrates were to be responsible at the end of their office to two syndics, one appointed by the Pope and one elected by the people. The Capitol was to be surrendered to King Ladislas, and was to be turned into a public palace or law courts; Ladislas might, if he chose, assign

[1] Leonardo Bruni gives a clear sketch of the policy of Ladislas (Mur., xix. 921): 'Romanos nec prius quietos sua præsentia in Pontificem concitavit; ipse vero mentem evexit ad Urbem Romam capiendam.'

it as the official residence of the ten governors. It is obvious that by this agreement all that the strong hand of Boniface IX. had won was lost to his successor, and that opportunities were carefully left for differences between the contracting parties which Ladislas must necessarily be called in to settle.

Ladislas had given perfidious aid to the Pope, but had the audacity to claim a reward for it. Innocent gave him for five years the Maritima and Campania, by which he commanded free approach to Rome. Moreover, Ladislas obtained from the Pope a decree declaring that, in any steps he might take towards restoring the unity of the Church, the title of Ladislas to Naples should be secured as a preliminary. This promise was sure to render all his measures useless, as France could not be expected expressly to abandon the claims of the house of Anjou. The unscrupulous Ladislas was bent on turning the indolent Innocent into a pliant tool. He still remained for a few days the Pope's guest, so long as it suited him to continue his intrigues with Rome. Finally he determined before his departure to impress the people by his splendour. Leaving the Vatican on November 4, he crossed the Ponte Molle and entered Rome by the Porta del Popolo. He rode in triumph through the street of Torre del Conte to the Lateran, and on his way asserted his rights in Rome by dubbing knight one Galeotto Normanni, who afterwards assumed the significant title of the 'Knight of Liberty.' After spending the evening of November 4 at the Lateran, he departed next day for Naples. Not till he was gone did Innocent VII. venture to be crowned, on November 11, and after his coronation rode, amid the cheers of the people, to take possession of the Lateran.

The Romans assert their liberty against the Pope. November 1404—June 1405.

It was not long, however, before matters turned out as Ladislas had designed. The Romans had gained enough liberty to make them wish for more, and the easy good-nature of the Pope emboldened them to set him at defiance. The new constitution was wrested to their own purposes, and the seven governors elected by the Romans seem to have acted independently of the three appointed by the Pope. Giovanni Colonna kept a body of troops in the neighbourhood of Rome ready to support the Romans. The Pope with difficulty maintained himself in the Leonine city by the help of his troops under his condottiere-general Mustarda. The state of things in Rome is

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described by Leonardo Bruni of Arezzo, who came at this time as Papal secretary :—'The Roman people were making an extravagant use of the freedom which they had lately gained. Amongst the nobles the Colonna and Savelli were the most powerful; the Orsini had sunk, and were suspected by the people as partisans of the Pope. The Curia was brilliant and wealthy. There were many cardinals, and they men of worth. The Pope lived in the Vatican, desirous of ease and content with the existing state of things, had he only been allowed to enjoy it; but such was the perversity of the leaders of the Roman people, that there was no chance of quiet.'[1] The Romans pestered the Pope with requests and petitions, and the more he granted, the more readily were new ones preferred. They even begged for the office of cardinal for their relatives. One day the Pope's patience was worn out. 'I have given you all you wished,' he exclaimed; 'what more can I give you except this mantle?'[2]

Matters went on becoming more and more difficult. In March 1405 the Romans, led by Giovanni Colonna, made an expedition against Molara, a castle of the Annibaldi, a few miles distant from Rome. The siege caused much damage, and in the end of April the Pope sent the Prior of S. Maria on the Aventine to make peace between the contending parties. His efforts were successful, and the Roman soldiers returned with him to the city. No sooner had he entered Rome than he was seized and executed as a traitor by the seven governors (April 25). But this was felt even by the Romans to be excessive, and Innocent threatened to leave the city. On May 10 the governors appeared before Innocent in the guise of penitents, with candles in their hands, to ask his forgiveness. After this submission there seemed for a time to be peace. On June 12 Innocent created eleven new Cardinals, of whom five were Romans and one was Oddo Colonna. He wished to do everything that he could to convince the Romans of his good intentions, and induce them to let him live in peace.

Hostilities of Pope and Romans. August 6, 1405.

Peace, however, was not what Ladislas desired, and his adherents were active in Rome. It was notorious that he had in pay a number of the chief citizens whose actions he guided at

[1] Leon. Aret., *Com.*, Muratori, xix. 922.

[2] Niem, ii. 36

his pleasure.[1] It was easy, therefore, to incite the Romans to another act of aggression. By the agreement made between Pope and people, the care of the bridges of Rome was to belong to the citizens, except the Ponte Molle, which commanded the approach to the Vatican on one side, while the Castle of S. Angelo defended it from the other. The Romans professed to consider the possession of the Ponte Molle as necessary for the protection of the Latin hills. The Pope refused to give it up to them, and it was guarded by Papal soldiers. On the night of August 2 a body of Romans attempted to take it by surprise, but were driven back with considerable loss. It was a festival morning when they returned, and the people had nothing to do. The bells of the Capitol rung out a summons to arms, and the excited crowd rushed to besiege the Castle of S. Angelo, which was vigorously defended by its garrison, who cast up earthworks. The night was spent by both sides under arms, but the morning brought reflection, and negotiations were begun; both parties at last agreed that the Ponte Molle should be broken down in the middle, and so rendered useless. On August 6 a deputation of the Romans waited on the Pope and treated him to a long speech, in which they expressed their general views about his conduct. As they were riding back unsuspectingly, they were seized by the Pope's nephew, Ludovico Migliorati, and were dragged into the Hospital of S. Spirito, where he had his quarters. Eleven of them were put to death, of whom two were magistrates, and eight were friends of the Pope; their dead bodies were flung out of the windows. This sanguinary deed awoke the passionate resentment of the people. The relatives of the murdered men thronged the Ponte di S. Angelo clamouring for vengeance.[2] In the city itself the wildest excitement prevailed, and the whole populace were assembling in arms.

Meanwhile the luckless Innocent sat tearfully in the

[1] Niem, ii. 36: 'Multos majores de populo corrupit pecunia ut sibi assisterent quod dominium ipsius urbis quo modo libet sortiretur, et hos corruptos reliquum vulgus *provisionatos* nominabat.'

[2] See the vivid account in Leon. Aret., *Com.*, Mur., xix. 923; also *Epistolæ* (ed. Mehus), book I., iv. and v. He was in the city at the time of the outbreak, and had great difficulty in getting safely back to the Vatican. Contemporary testimony is clearly in favour of Innocent's entire guiltlessness in this crime.

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Flight of Innocent VII. to Viterbo. August 6–9, 1405.

Vatican calling heaven to witness his innocence and bewailing his sad fortune. He was incapable of forming any plan of action, and those around him differed in opinion; some urged immediate flight and some advocated delay. But the troops of Naples might be expected to advance to the aid of the Romans; the fidelity of Antonello Tomacelli, who held the Castle of S. Angelo, was doubtful, and it was believed that he was in the pay of Ladislas; the walls of the Leonine city had fallen in many places, and were ill fitted to stand a siege; above all, supplies of food were wanting. It was hopeless to think of resistance; flight alone was possible. Short time was given to the terrified Cardinals to gather together their valuables, as on the evening of the same day the retreat began. First went a squadron of horse, then the baggage, next the Pope and his attendants, and another squadron of horse brought up the rear to ward off attacks. They made all possible haste to escape, for the Romans were in pursuit. That night they reached Cesano, a distance of twelve miles; next day they pressed on to Sutri, through the blazing heat of an Italian August; the third day they reached Viterbo. Thirty of Innocent's attendants died on the way through heat and thirst, or died soon afterwards through immoderate draughts of water. Innocent himself was more dead than alive.

Sack of the Vatican. August 1405.

No sooner had the Pope left Rome than Giovanni Colonna, at the head of his troops, burst into the Vatican, where he took up his quarters. The people laughed at his airs of importance, and called him John XXIII. The Vatican was sacked; even the Papal archives were pillaged, and Bulls, letters and registers were scattered about the streets. Many of these were afterwards restored, but the loss of historic documents must have been great. Everywhere in the city the arms of Innocent were destroyed or filled up with mud; the Romans loudly declared that they would no longer recognise him as Pope, but would take measures for restoring the unity of the Church.

Attempt of Ladislas on Rome. August 1405.

The talk of the Romans was vain, and they were soon to find that Innocent was necessary to them. Ladislas judged that his time had now come: the waters were sufficiently

[1] Niem, ii. 36.

troubled for one to fish who knew the art.[1] He had a strong party among the Roman nobles, and sent on August 20 the Count of Troja, with 5,000 horse, and two men already appointed to be governors of Rome in his name. This reinforcement was welcomed by Giovanni Colonna; but the Roman people had not striven to recover their liberties from the Pope that they might put them in the hands of the King of Naples. They besieged their treacherous magistrates in the Capitol, and barred the Ponte di S. Angelo against the Neapolitans, in spite of the fire opened upon them from the Castle. The Neapolitans could not force the barricades and obtain admission into the city. The Capitol surrendered on August 23 to the citizens, who set up three new magistrates called 'buon uomini.' In their new peril, the minds of the Romans went back to the Pope whom they had driven away. The members of the Curia who had been imprisoned in the tumult were released, and much of the goods of ecclesiastics which had been sacked was restored to the magistrates. When men's minds grew calmer, they recognised that Innocent was blameless of his nephew's crime; and when submission to the rule of Ladislas drew near, the Romans looked back with regret on the good-natured, indolent Pope.

Romans again submit to the Pope. 1405.

Envoys were at once despatched to Viterbo, to beg for aid; and on August 26 the Papal troops, under Paolo Orsini and Mustarda, advanced. The Neapolitans thought it wise to withdraw: they had missed their opportunity of seizing Rome, and it was not worth while to stay longer. Giovanni Colonna abandoned the Vatican and retreated. Only the Castle of S. Angelo still held out for Ladislas. On October 30 Innocent appointed as Senator of Rome, Francesco dei Panciatici of Pistoia. The attempt of Ladislas only ended in re-establishing in Rome the Papal power, which he had managed insidiously to sap. In January 1406 a deputation of the Romans begged Innocent VII. to return to his capital, and on March 13 he entered Rome amid shouts of triumph and festivities of rejoicing which rarely greeted a Papal return. His nephew Lodovico accompanied him, having undergone no severer punishment than a penance inflicted by the Pope. The

[1] Niem, *l.c.*: 'Cogitans quod bonum esset aquis turbidis piscari scientibus artem.'

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passions of the Romans were quick, but were easily appeased. A horrible crime had driven them to rebellion; but when their rebellion threatened to bring with it unpleasant consequences, they laid aside their thoughts of vengeance, and condoned the offence. We cannot blame them, for they had to choose between two evils: but Innocent's sense of justice and of right must have been very dim before he could ride through the streets of Rome by the side of the man who had wrought a treacherous deed of slaughter. How little Innocent counted the crimes of his nephew may be seen by the fact that he made him Lord of Ancona and Forli.

Futile negotiations between the two Popes. 1405–6.

The career of Innocent had been so eventful that he might safely plead inability to grapple with the great question of the Schism. Each Pope wished to seem to be doing something, and to do nothing; to have a case sufficient to enable him to abuse his adversary, if not to defend himself. Innocent VII. began by summoning a synod to assemble at Rome on November 1, 1405; the disturbed state of the city gave him an excuse for deferring it to May 1, 1406. Benedict XIII., on his side, continued his plan of professing to negotiate for a meeting between the two Popes, and sent to ask for a safe-conduct for his envoys. Innocent VII. thought that the last envoys of Benedict XIII. had been troublesome enough, for compensation was demanded from him for the ransom they had had to pay during the disturbances that preceded his election: he accordingly refused a safe-conduct to Viterbo. Benedict was now in a position to write letters declaiming against the obstinacy of Innocent; while Innocent answered by still longer letters denouncing the conduct of Benedict. No advance was made to a settlement; but public opinion turned more and more against both Popes alike, and the petulant squabbling of two obstinate old men on small technical points awoke general disgust.[1]

Benedict XIII. in Nice and Genoa. 1404–5.

Benedict XIII. felt that his hold on France was insecure, and he was accordingly careful to have the palace of Avignon enlarged and fortified; for this purpose he even had the church

[1] See Niem, ii. ch. 38: 'Petrus, tali occasione captata, contra ipsum Innocentium querulando, seque excusando quod non staret per eum quin unio fieret diversas epistolas satis comptas ad diversa loca insignia destinavit: contra quas idem Innocentius longiores contrarias dictans fecit publicari; sicque ipsi tunc certantes invicem de papatu, et terentes tempus ne cedere cogerentur, scripturis se mutuis ludificarunt.'

of Notre Dame pulled down, though it was the burying-place of his predecessors. To avoid bringing matters to a crisis, he announced his intention of proceeding towards Italy and endeavouring himself to come to some agreement with Innocent VII. In 1404 he removed from Pont de Sorgues to Nice. There he was enabled to win a triumph over his rival, as Genoa, under the influence of its French governor, Marshal Boucicaut, deserted the obedience of Innocent, and recognised Benedict. Pisa soon afterwards, under French influence, followed its example. The Genoese Cardinal de Flisco, who was Papal legate, joined his fellow-citizens, and transferred himself to the side of Benedict, by whom his dignity was recognised. Early in 1405 Benedict announced his intention of going to Genoa, and imposed a tax of a tenth on the French clergy to provide money for his journey. The nobles supported the Pope, and the unhappy clergy were compelled to pay for what every one knew to be a mere pretext. On May 16, 1405, Benedict landed at Genoa, and was received with due pomp by the authorities, but without any enthusiasm from the people, who still believed in the title of the Roman Pope.[1] The Genoese were, moreover, suspicious, and made Benedict understand that they could not admit his large armed escort into the city. They courteously assigned as the reason their national habit of jealousy, saying that the Genoese husbands could not endure the thought of possible rivalry in the affections of their wives.[2]

The University of Paris again proceeds against Benedict XIII. January 1406.

Benedict did not stay long in Genoa: on October 8 he was driven to leave it by an outbreak of the plague, and took up his residence at Savona, on the Riviera. Things did not prosper with him in France: every one was dissatisfied with his promises, and the King of Castile sent an embassy to urge again that both Popes should be compelled to resign. Benedict only embittered his adversaries by trying to set the Duke of

[1] Stella, *Ann. Gen.* (Mur., xvii. 1209): 'Virorum ac mulierum ad spectandum dictum Summum Pontificem multitudo non fuit. . . . Innocentium, qui apud Romam residet, verum putant Summum esse Pontificem, et Benedictum nequaquam.'

[2] *Chron. de St. Denys*, bk. xxvi. ch. 26: 'Ipsi quærenti causam responsum est quod burgenses, zelotypia ob uxorum pulcritudinem ducti, suorum incontinenciæ signa et impudicos aspectus non poterant equanimiter tolerare.' In fact, the Pope's soldiers were not fit for a decent city to receive.

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Berri against the University of Paris, which he denounced as a 'nest of tumult which sent forth a headstrong brood.'[1] In France generally all was in confusion. The King's madness increased, and he sank almost to the condition of a wild beast, devouring food with insatiable rapidity, and refusing to change his clothes or allow himself to be kept clean. The antagonism between the Dukes of Burgundy and Orleans was daily becoming more intense, and it was with difficulty that peace was kept between them. But, in spite of political disturbances, the University of Paris returned to the charge against Benedict XIII. in January 1406. The stream of public opinion again ran strongly against him, and on May 17 the University succeeded in obtaining from the Royal Council an audience, in which they once more urged the withdrawal of the obedience of France. The Council had too much on hand, in consequence of the disturbed state of the kingdom, to venture on the troubled sea of ecclesiastical discussion, and they referred the University to the Parlement. The pleadings began on June 7, and Pierre Plaon and Jean Petit refuted the arguments which had been put forward by the University of Toulouse against withdrawal from Benedict; they pointed out that he had not kept his promises, and they denounced his exactions. The King's advocate, Jean Juvenal des Ursins, followed on the same side, and complained against Benedict's conduct as injurious to the honour of France. Benedict's friends tried to get the matter deferred, but the University pressed for a decision. At the end of July the letter of the University of Toulouse was condemned as 'scandalous and pernicious, defaming the honour of the King and his subjects,' and was ordered to be burned at the gates of Toulouse. On September 11 a further decision was given that the Gallican Church should be free 'thenceforth and for ever from all services, tithes, procurations, and other subventions unduly introduced by the Roman Church.'[2] This was a withdrawal from Benedict XIII. of the important power of raising ecclesiastical revenues, and contained also an assertion of the right of the national Church to manage its own affairs

[1] See their appeal in Martene, *Thesaurus*, ii. 1295.

[2] *Chron. de St. Denys*, bk. xxvii. ch. 3: 'Ut ecclesia Gallicana deinceps et perpetuo a serviciis, decimis, procuracionibus et cæteris adinventis subvencionibus indebite ab ecclesia Romana introductis, libera remaneret.'

under royal protection. The University had so far changed its tactics that it rested its complaint against Benedict XIII. no longer solely on technical grounds, but on grounds of national utility; but it still had no other remedy to suggest than the old plan, which had already been tried and failed—that of trying to force Benedict to resign by withdrawing from his obedience. It pressed for a decision on this point also; but Benedict's friends sought to gain time, and this question was deferred to a synod of prelates summoned for November 1. Before this synod, however, met for the despatch of business (November 18), the news of the death of Innocent VII. somewhat altered the aspect of affairs.

Restoration of Innocent VII. to Rome. June–November 1406.

Innocent did not live long after his return to Rome to enjoy his triumph. At first the Colonna and other barons of the party of Ladislas held out against him, and Antonello Tomacelli maintained his position in the Castle of S. Angelo. On June 18 Innocent issued Bulls against the Colonna, the Count of Troja, and other barons of the Neapolitan faction; and on June 20 he deprived Ladislas of his vicariate of Campania and the Maritima. Ladislas was not in a position to have the Pope for his declared enemy. His hold on Naples was not so secure that the Angevin faction might not again become troublesome if they were emboldened by the Pope's help; Ladislas thought it wise to make peace, and the Pope's nephew Ludovico was sent to settle terms. On August 6 peace was agreed to; the past was to be forgiven, the Castle of S. Angelo was to be given up to the Pope, Ladislas was confirmed in all his rights, and was, moreover, made Protector and Standard-bearer of the Church. Innocent was certainly trustful and forgiving: he did not profess to seek anything beyond the means of leading a quiet life in Rome, and was prepared to take any steps which might secure that end. But he was not long to enjoy the tranquillity which he sought; he had already had two slight attacks of apoplexy, and a third proved fatal to him on November 6.

Death of Innocent VII. November 6, 1406.

Innocent VII. possessed the negative virtues which accompany an indolent disposition. The writers of the time speak more highly of him than he deserved, because his good-natured carelessness contrasted favourably with the rapacious ambition of his predecessor. Personally he was courteous, affable, and gentle; he liked giving audiences, listening to grievances, and granting

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little favours; and he had not the strength of character to offend anyone if he could avoid it. He was averse from the simoniacal practices of Boniface, and is praised by the ecclesiastical writers for the doubtful virtue of abstinence from their grosser forms. But the indolent old man fell under the influence of his nephew, and allowed violations of civil and moral law to pass unpunished. Moreover, he exercised no control over the Romans or even over his own soldiers, who in irreverence surpassed their opponents. 'On S. Paul's day, June 30,' says an eyewitness,[1] 'I went to S. Paul's Church, and found it a stable for the horses of the Pope's soldiers. No place was empty, save the Chapel of the High Altar and the tribune; the palace and the entire space round the church was full of the horses of Paolo Orsini and other commanders of Holy Mother Church.' As regards healing the Schism, Innocent VII. did nothing. Like his rival Benedict XIII., he gained a reputation as a cardinal by expressing strong opinions on the subject; but after he became pope, his indolence made him averse from any decided steps, and the only thing which disturbed his equanimity and made him peevish was a mention of the Schism in his presence.[2] In quiet times Innocent VII. might have made a respectable pope; as it was, he was feeble and incompetent.

[1] *Diarium Antonii Petri*, Mur., xxiv. 979.

[2] Platina: 'Ipse Pontificatum adeptus, secutusque in quibusdam Urbani et Bonifacii vestigia, quos privatus carpebat, non modo quod tantopere laudabat effecit, verum etiam iniquo animo ferebat si quis apud se ea de re verbum fecisset.'

## CHAPTER V.

### GREGORY XII.; BENEDICT XIII.

### NEGOTIATIONS BETWEEN THE RIVAL POPES.

### 1406–1409.

CHAP. V.

Election of Angelo Correr, Gregory XII. November 30, 1406.

THE death of Innocent VII. again kindled in France delusive hopes of a peaceable ending of the Schism. In a short tractate Gerson set forth four possible courses: the recognition of Benedict XIII. by the Roman Cardinals; a General Council of the adherents of both parties to decide on the steps to be taken; recognition by Benedict's obedience of the rights of the Roman Cardinals, or a union of both Colleges for a new election.[1] On their side the Romans Cardinals hesitated what course to pursue. If France succeeded in forcing Benedict to resign, a new election by the united Colleges was the surest means of settling a dispute between two powers which recognised no superior; but the procedure would be long, and meanwhile what was to become of Rome, the Papal dominions, and the Cardinals themselves? They shrank before the dangers of a doubtful future, and tried to discover a middle course by which they would be at least secure. The fourteen Cardinals who were in Rome entered the Conclave on November 18; after the doors were closed, there arrived an envoy from Florence, and a window was broken in the wall to allow him to address the Cardinals, who announced that they were not going to elect a pope, but a commissioner to restore the unity of the Church.[2] They acted in the same spirit, and resolved on November 23, after some discussion, to elect a Pope who was solemnly bound to make

[1] Acta quædam de schismate tollendo, in Gerson, *Op.* ii. 76, &c.

[2] A short account is given by Leonardo Bruni, *Epistolæ*, ii. 2.

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the restoration of unity his chief duty. They set their hands to a document, and took oaths upon the Gospels, that he who was elected should resign his office whenever the anti-pope did so, or died; that this promise should be announced to all the princes and prelates of Christendom within a month of the Pope's enthronement; and that ambassadors should be sent within three months of that date to try and arrange for ending the Schism; meanwhile, no new cardinals were to be created until after an interval of fifteen months, in case negotiations failed through the obstinacy of the anti-pope. The Cardinals showed their sincerity by the election which they made. They chose a man renowned for uprightness and sincerity rather than for intelligence and cleverness, Angelo Correr, Cardinal of S. Mark, a Venetian, whose character and age seemed to guarantee him as free from the promptings of ambition and self-seeking. He was nearly eighty years old, a man of old-fashioned severity and piety.[1] The very appearance of Cardinal Correr seemed to carry conviction: he was tall, but so thin and worn, that he seemed to be but skin and bones.[2] The only objection to him was that he was scarcely likely to live long enough to accomplish his object.

Zeal for unity of Gregory XII.

Correr had not been remarkable in his early years, but had acted as legate under Boniface IX., and had been made cardinal by Innocent VII., of whom he had been a special favourite. His first steps were in accordance with his previous character. He took the name of Gregory XII., and was enthroned on December 5, when he preached a sermon from the text 'Prepare ye the way of the Lord,' and exhorted every one to labour for unity. Before his coronation he publicly repeated the oath which he had taken in common with the other Cardinals. His talk was of nothing but of unity; he eagerly declared that no small hindrances should stand in his way; if there was not a galley to take him to the place of conference with his rival, he would go in a fishing-boat; if horses failed him, he would take his staff in his hand and go on foot. In the same spirit, on December 11, he sent letters, written by

[1] Leon. Ar.: 'Vir prisca severitate et sanctimonia reverendus.' Mur., xix. 925.

[2] *Vita Gregorii XII.*, ap. Mur., iii., part 2, p. 837: 'Homo statura magnus sed ita macer et squallidus et senex erat quod solum spiritus cum ossibus et pelle apparebat.'

Leonardo Bruni, to Benedict and to all the princes of Christendom. To Benedict he wrote in a tone of kindly remonstrance. 'Let us both arise,' he said, 'and come together into one desire for unity: let us bring health to the Church that has been so long diseased.' He declared himself ready to resign if Benedict would, and proposed to send ambassadors to settle the place and manner in which the Cardinals on both sides should meet for a new election.

Proceedings of France towards Benedict XIII. November 1406–January 1407.

These steps of the Roman Cardinals and their Pope produced a deep impression in Paris, where the French prelates were sitting to decide on the demand of the University that France should withdraw from the obedience of Benedict. The synod set to work on November 18; but so bitter was the University against Benedict, that Peter d'Ailly and others were with difficulty allowed to plead in his behalf. The violence of the University damaged its cause: some did not scruple to lay to Benedict's charge foul accusations for which there was not a shadow of proof.[1] Peter d'Ailly spoke with weight against such rash and violent procedure, and advocated the summons of a Council of Benedict's obedience. There was much heat in discussion and much difference of opinion. Benedict's friends wished to approach him by way of filial remonstrance; his opponents declared that many efforts had been made in vain to vanquish his obstinacy, and that nothing remained but entirely to withdraw from his obedience.

It was not, indeed, easy to discover a way of getting rid of Benedict without diminishing the rights of the Church. Gradually a compromise was made, and it was agreed to leave Benedict's spiritual power untouched, but to deprive him of his revenues. A decree was prepared for withdrawing from the Pope the collation to all benefices in France until a General Council should decide otherwise. It was signed by the King on January 7, 1407, but was not immediately published, as the Duke of Orleans wished to see the results of the proceedings of the Roman Pope: an edict was, however, signed forbidding the payment of annates and other dues.

When Gregory XII.'s letters were known in Paris there was

[1] *Chron. de St. Denys*, xxvii. 17: 'Ipsum jam vergentem in senium de incontinentia, cupiditate inexplebili et perjurio post creationem suam commisso accusantes.'

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great rejoicing, and some even talked of recognising Gregory if Benedict still remained obstinate. But Benedict surprised all by the cordiality of his reply; he assured Gregory that his desire for union was sincere, and that he was ready to agree to the proposal of a common resignation. 'We cannot dissemble our surprise,' he adds, 'that your letter insinuates that you cannot come to the establishment of union by the way of justice; it never has been, is, or will be our doing that the justice and truth of this matter, so far as concerns us, be not seen and recognised.'[1] Some of the Professors of the University looked suspiciously at the last sentence, which was capable of two interpretations, and might mean that Benedict was ready for discussion, not for resignation of his claims.

Accordingly the King wrote, on March 1, to Benedict XIII., saying that, as some expressions in his letter might mean that he wished to waste time in discussing the justice of his position, he besought him to lay aside all subterfuges and state openly his willingness to resign. At the same time, influential ambassadors, headed by Simon Cramaud, Patriarch of Alexandria, were appointed to confer with both Popes, and a twentieth was levied on the French clergy to provide for the expenses of their journey.

Embassy of Gregory XII. to Benedict XIII. 1407.

There was no lack of letters, of ambassadors, and of talk. Before the French ambassadors reached Marseilles, where Benedict XIII. had taken up his abode in the autumn of 1406, an embassy from Gregory XII. had already been there. The appointment of this embassy gave the first reason to Gregory's Cardinals for doubting the sincerity of the Pope. According to the promise made on his election, he was bound to send an embassy within three months. Malatesta, Lord of Pesaro, offered to go as ambassador at his own expense; but Gregory XII. declined his offer, and waited till the day before the expiration of the term of three months, when he appointed as his envoys his nephew, Antonio Correr, Bishop of Modon, the Bishop of Todi, and Antonio de Butrio, a learned jurist of Bologna. It was not a good augury that one who had a strong personal interest in keeping his uncle on the Papal seat should be appointed to negotiate for his abdication. The Cardinals urged Gregory XII. to waste no time, but finish the great cause he had in hand:

[1] 'Nec per nos unquam stetit, stat, aut stabit quominus justicia et veritas hujus rei, quantum ad nos pertinet, videatur et agnoscatur.'—*Chron. de St. Denys*, xxvii. 21.

Gregory humbly asked them to help him to do so; 'as if,' says Niem indignantly,[1] 'they had anything to do with the matter.' The Cardinals began to suspect the Pope of being a wolf in sheep's clothing.

Arrangements for a conference of the two Popes at Savona. 1407.

When Gregory's ambassadors reached Marseilles there was much fierce discussion about the place where the two Popes were to meet, the number of attendants each was to bring, the securities to be taken on each side, and suchlike points. The question of the place of meeting was of course the most important, as each Pope demanded a place in his own obedience. At last matters were referred, on Benedict's part, to a small committee, which proposed Savona, near Genoa, on the Riviera. To everyone's surprise Antonio Correr at once agreed, and drew from his pocket a paper in Gregory's handwriting, in which he declared himself ready to accept Ghent or Avignon rather than let any difficulty about place stand in the way of peace. The acceptance of Savona was greatly in favour of Benedict XIII.; he was close to it, could go and return readily to a town which, being in the hands of France, was in his obedience. To Gregory XII., on the other hand, Savona was difficult to reach; the journey was costly, and the dangers in the way were considerable. We are driven to the conclusion that Antonio Correr was acting slyly in his own interests. By accepting Savona he gave a touching proof of his uncle's readiness to do what was demanded of him, while the real chance of a conference at Savona was very slight. Still an elaborate series of regulations as to arrangements for the conference was drawn up and signed on April 21, and September 29, or at the latest November 1, was fixed as the day of meeting.

Intrigues of Antonio Correr.

The agreement just made between the two Popes can scarcely have been regarded as satisfactory by anyone outside France. If both Popes ceded at Savona, and a new election were there made, France would have an overwhelming influence upon the choice of the Cardinals. This would be hazardous to England, to Naples, and to Venice, who would be sure to take steps to prevent it. France, while professing its zeal for the union of the Church, aimed at a return to the principles of the French Papacy at Avignon. Europe might lament a Schism, but would not consent to end the Schism by restoring

[1] *Schism*, iii. 12.

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the French predominance over the Papacy. Antonio Correr looked forward with a light heart to the failure of all expectations built on this plan. He left Marseilles for Paris, and on his way, at Aix, met the French ambassadors, who besought him to return to Rome at once and prepare his uncle for the journey. They regarded with suspicion the agreement which had just been signed, as it was over-plausible, and left room for doubtful interpretations on many points. Correr did his best to reassure them: he repeated to them words which his uncle had spoken to him in private. 'Do you think, my dear nephew, that it is the obligation of my oath which makes me labour for peace? It is love, rather than my oath, which leads me to resign; day by day my zeal for peace increases. When shall I see the happy day on which I shall have restored the unity of the Church?' At the same time he warned the ambassadors that Benedict was a hard man, who ought not to be irritated, but rather allured by kindness. He begged them to treat him gently, or they would spoil all. Antonio's zeal was truly touching; plausible hypocrisy could go no further.[1]

The ambassadors of France and Benedict XIII. May 1407.

On May 10 Benedict XIII. received the ambassadors of France, and at the audience the Patriarch of Alexandria besought him to go to the conference without any view of discussion, but to resolve on abdicating, and to express himself on this point without any ambiguity. The Pope answered at once with great fluency and at great length, but divided his answer into so many heads, and spoke with such obscurity, that the ambassadors gazed at one another in silent hope that some one else might be more acute than himself at understanding the Pope's meaning.[2] The next day they came before him with a demand that he would issue a Bull declaring his intention of proceeding by way of abdicating, and of putting all other ways aside. To this Benedict replied with considerable dignity, and also with much political wisdom. To settle this difficult matter, he said, confidence and freedom were necessary; every mark of want of confidence in him would strengthen the hands of his adversary, and tend to bring about the very discussion

[1] Of all these negotiations, the *Chronicle of St. Denys* gives a minute and circumstantial account.

[2] *Chron. de St. Denys*, xxviii. ch. 8: 'Prolixam responsionem obscuris involucionibus sic vallavit dominus Benedictus ut nemo audiencium hanc uniformiter referret.'

of trifles which they wished to avoid ; he must go to the conference free and trusted above all things. The ambassadors felt that they had gone too far in allowing their distrust to be so clearly seen. The Pope perceived the impression that he had made, and determined to improve his opportunity. After the public audience he called aside the Patriarch of Alexandria and some other members of the embassy, and gently spoke to them about the accusations which were rife in Paris against himself. All were moved with some sort of remorse, and many broke into tears ; the Patriarch threw himself at the Pope's feet and humbly asked pardon for his doubts and for his rash utterances in former days. Benedict generously forgave them all, and dismissed them with his blessing. He had adroitly managed by a moral appeal to assert his superiority, and had won a diplomatic victory which left the ambassadors of France in his hands.

The ambassadors turned next to the Cardinals, who promised to do all they could to prevail on Benedict to issue a Bull declaratory of his intentions, and they were also aided by envoys from the Duke of Orleans. But nothing could alter Benedict's determination ; he still refused to issue a Bull, and in the final audience of the ambassadors, on May 18, the Patriarch of Alexandria thanked him for his declaration of good intentions, but added : 'As ambassadors of the King of France we cannot say that we are content, for our instructions bade us insist with all humility to obtain your Bulls on this matter.' Benedict angrily answered that every Christian man ought to be content, the King of France among the rest ; if he were not, he did not love the Church. The ambassadors retired to Aix, and deliberated whether to publish the withdrawal of allegiance from Benedict, according to their instructions in case he refused to grant the Bulls. The moderate men, however, were in a majority, and judged that such a step would only hinder the progress of union. They resolved to hold their hand, and the embassy was divided into three bodies, one of which returned to Paris to tell the King of their success, a second body went to Marseilles to keep watch over Benedict, and a third detachment proceeded to Rome to strengthen the good resolutions of Gregory. Charles VI. professed himself satisfied with what had been done, but the University was loud

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in its complaints, and urged on the King to carry out the withdrawal; when the King refused they threatened to shut up their schools and suspend their lectures, and were with difficulty pacified. The ambassadors of Gregory entered Paris on June 10, headed by the nephew Antonio, who, in spite of the request that he would return to Rome, was unable to give up his desire to visit Paris and experience the liberality of the French King. The ambassadors were received with great pomp and rejoicing, which they repaid with fair words and cheap promises.

Extravagance of Gregory XII.

Other news, however, awaited the French envoys who were despatched to Rome. As they advanced through Italy they heard much that made them doubt of Gregory's sincerity. His old age had led the Cardinals to suppose that he was free from personal ambition, but they forgot that it made him liable to fall under the influence of others. Gregory's relatives gathered round him, and, when once they had tasted the sweets of power, did all they could to make the poor old man forget his promises and cling to office. His nephews and their dependents took up their abode in the Vatican and spent the contents of the Papal treasury in foolish extravagances. They had vast trains of horses and servants, and indulged in childish luxuries; it is a satire on the old man's tastes that his household spent more in sugar than had sufficed to feed and clothe his predecessors.[1] Moreover, he treated the relatives of his patron Innocent VII. with ingratitude, and drove them from the Curia; he dispossessed Ludovico Migliorati of the March; he dismissed Innocent's chamberlain, and appointed his own nephew Antonio in his stead. Such money as he had was squandered, and then an appeal was made throughout his obedience for means to provide the expenses of his journey to Savona.

Intrigues of Ladislas to prevent the conference at Savona. June 1407.

Nor were there only personal motives at work to shake the old man's constancy. Ladislas of Naples saw with alarm the progress of negotiations towards unity of the Church; so long as the Schism lasted, the Roman Pope was necessarily bound to the party of Durazzo in Naples, whereas a new Pope over a united Christendom, elected at Savona, would fall under French influence, and lend his weight to the party of Anjou. Rome

[1] *Vita Greg. XII.*, apud Mur. III., part ii. 838: 'Plus in zucaro consumebat quam sui predecessores in victu et vestitu.'

had quietly accepted the rule of Gregory, and had submitted to the Senator whom he appointed; but Ladislas still had his friends amongst the Roman barons, and on the night of June 17 a body of soldiers, headed by the Colonna, entered the city through the broken wall near the gate of San Lorenzo and tried to raise the people. Gregory XII., followed by his nephews, fled trembling into the Castle of S. Angelo. The plot, however, failed, owing to the energy of the Pope's general, Paolo Orsini, who on the next day hastened with his soldiers from Castel Valcha to Rome, joined the forces under the command of the Pope's nephew, and drove the conspirators out of the Porta di San Lorenzo with great slaughter. Many of the rebellious barons and citizens were made prisoners, and some were put to death, amongst them Galeotto Normanni, Ladislas's unlucky 'Knight of Freedom.' The attempt of Ladislas had again failed. He had aimed at throwing Rome into confusion, besieging Gregory in the Castle of S. Angelo, and so preventing his journey to Savona. Dietrich of Niem, in his hatred of Gregory XII. (whom he calls 'Errorius'—a bad pun upon 'Gregorius')—does not scruple to say that the Pope's hasty flight into the castle was owing to confederacy in the plot.[1] But Leonardo Bruni, a more impartial and discriminating authority, refuses to believe this of the Pope, but significantly adds that he has no doubt such a charge is true against the Papal nephews.[2] The feeble old man was used by his relatives as the material for every sort of intrigue.

Ambassadors of France and of Benedict XIII. at Rome. July 1407.

After the failure of this plot Rome rapidly quieted down. On July 1 arrived the ambassadors of Benedict, and on July 5 those of the French King, who had travelled by land; their colleagues, who came by sea, joined them on July 16. They were told that Gregory was in a state of doubt; the sight of the letters withdrawing obedience from Benedict, of which he had received copies from Paris, made him quail before this method of dealing with Popes; he had received warnings not to trust himself to strangers; his relatives plied him with suggestions that his departure from Rome would mean the seizure of the Patrimony by Ladislas. In an audience given to

[1] Niem, iii. 18.

[2] Leon. Aret., Ep. ii. 7: 'Nos de Pontifice nullomodo credimus; de propinquis non dubitamus.'

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Benedict's ambassadors on July 8 he first began to raise difficulties. He said he did not see how he was to go to Savona: it was true the Genoese had offered to lend their galleys, but he dared not trust himself to them; he could not afford to equip six or eight galleys himself; he had applied to the Venetians for ships, and they had refused them. He added also his dread of Ladislas in case of his absence. On July 17 the French ambassadors offered him themselves as hostages for his security, besides other hostages from Genoa; they reminded him that the Genoese galleys had been offered at the request of his own nephew. Gregory, in answering, disavowed his nephew, pleaded his poverty, and suggested that the French King should supply him with ships and money. At the request of the ambassadors the Cardinals endeavoured to reason with Gregory; but the old man's mind kept vacillating from one point to another, and the Cardinals could make nothing of him. The French ambassadors, to cut matters short, offered him, on the part of the French King, six galleys, with pay for six months; the Pope might put among their crews men of his own for more security, and the captain of these galleys agreed to leave as hostages his wife and children; a hundred of the chief Genoese citizens and fifty from Savona should likewise be given as hostages. No fairer offer could have been made; it is a proof how anxiously France desired the conference at Savona, and the consequent advantage to herself in the new election; to gain that result she was prepared to lay aside all punctilious feelings of dignity and pride. Gregory was sorely put to it for a means of refusing this offer; he quibbled about the exact wording of the treaty, which had stipulated the disarming of the Genoese vessels during the conference; he rebuked his nephew for imprudence, and disavowed what he had done; he said that he would willingly accept the offer if he himself only were concerned, but the honour of all his obedience would be compromised if he were to accept it. The Patriarch then offered, if the Pope preferred to go by land, to supply means for the journey, and put all the castles in the power of the French into Gregory's hands for the time, reserving the Genoese garrisons at present in them. Gregory evasively answered that he intended to approach by land nearer to Benedict.

The French ambassadors, in an interview with the Senator

and magistrates of Rome, besought their assistance with the Pope, and assured them that France had no wish to remove the Papacy from Rome. So fairly did they speak, that one of the Romans said privately that it was well the people did not hear them, or they would settle the matter by a sudden rising against Gregory.[1] Jean Petit pointed out that the extinction of the Schism would restore to Rome its old prosperity, from the increase of pilgrims for indulgences, and would secure it protection from Ladislas. Still neither Cardinals nor citizens had any weight against Gregory's greedy relatives; and the old man, now that he was sure of political support, clutched at everything which might keep him in office. On July 21 the ambassadors of Benedict asked for a definite answer. Gregory pleaded the difficulties of going to Savona, and asked that the place might be changed. The royal ambassadors suggested that Gregory might send commissioners to the conference, or that the two Colleges of Cardinals should be allowed to settle the matter. Gregory sent for D'Ailly, Gerson, and others on July 28, and went through the weary round of equivocations and excuses which he had been so long in practising. D'Ailly answered him point by point; at last the Pope burst into tears, and exclaimed: 'Oh, I will give you union, do not doubt it, and I will satisfy your King; but I pray you do not leave me, and let some of your number accompany me on my way and comfort me.' It seemed as though for the moment he recognised his weakness, and begged to be rescued from his nephews' clutches. But the nephews soon regained their power. On July 31 Benedict's ambassadors took their leave, with an uncertain answer that Gregory objected to go to Savona, but would try to be there by November 1. Soon after the envoys of the French King followed, feeling that nothing had been decidedly settled.

Departure of Gregory XII. from Rome. August 1407.

Soon Gregory himself found it advisable to leave Rome. Not only his nephews, but also the Papal general, Paolo Orsini, played upon the old man's timidity and feebleness. Since the repulse of the Neapolitans, Paolo Orsini had been too powerful in Rome. He obtained from the Pope the vicariate of Narni

[1] *Chron. de St. Denys*, xxviii. 20: 'Non expedisse ut propositio legatorum coram Romano populo in vulgari facta esset, ne forte præ gaudio horum novorum tumultus oriretur et impetus in Gregorium fieret.'

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and pressed him with demands for money to pay his troops. Troubles within and without oppressed the luckless Pope, and he adopted a course which he hoped would for a time rid him from both. By removing from Rome, he would be free from the importunities of his greedy general, and would also be able to make some show of proceeding towards the promised congress. Leaving Cardinal Pietro Stefaneschi as his legate in Rome, he set out on August 9 for Viterbo. Thence, on August 17, he wrote to the King of France urging the need of a change of the place of congress from Savona, and complaining of the haughty tone of the French ambassadors, who, on their part, wrote to Gregory from Genoa, repeating their assurances about his personal safety at Savona, and expressing their objections to reopening the question of the place of congress as likely to lead into an endless labyrinth of negotiations. From Genoa the French ambassadors passed on to S. Honorat, whither Benedict had retired before an outbreak of the plague. Benedict received them with the utmost affability. In proportion as he saw Gregory raise difficulties he expressed eagerness on his own part; he was too skilful a diplomatist not to see the advantage of throwing the blame of failure on Gregory when an opportunity was offered.[1] 'We are both old men,' he said to a messenger of Gregory's; 'God has given us a great opportunity; let us accept it, when offered, before we die. We must die soon, and another will obtain the glory if we protract the matter by delays.' He assured the King's ambassadors that he meant punctually to abide by the treaty. Meanwhile Gregory moved from Viterbo to Siena at the beginning of September. He succeeded in winning from the Cardinals permission to enrich his three lay nephews without breaking his oath at election; in reply to a memorial setting forth the sacrifices made and the losses sustained by them through their labours for union, and the prospect which faced them of being rapidly reduced to a private position, the Pope allowed them to hold various lands and castles belonging to the Church.

Threatening attitude of Ladislas.

The nephews seem also to have joined with Ladislas in a scheme to terrify the already frightened Pope. Ladislas, on

[1] Leon. Bruni, *Comment.* (Mur., xix. 926): 'Erat in altero pontifice (*i.e.* Benedict), non melior sane mens, sed occultabat callidius malam voluntatem, et quia noster fugiebat ipse obviam ire videbatur.'

Gregory's departure from Rome, took into his pay Ludovico Migliorati, whom Gregory had dispossessed of the March; by his aid, Ascola and Firmo were captured, and Ladislas showed himself ready to strike a blow at Rome.[1] Gregory wrote to remonstrate against the seizure of Ascola and Firmo. Ladislas replied, in a taunting letter, that he was keeping those cities for the Church. He reminded Gregory of his objections to Savona as a place of congress, and sneeringly suggested Paris as a fitter place. The nephews filled the Pope's mind with suspicions about his personal safety; fresh ambassadors were sent to press for a change of place, and on November 1, the day fixed for the congress at Savona, Gregory was still at Siena, and Benedict, with triumph in his heart, professed to await him at Savona. Gregory, by way of doing something, issued indulgences to all who should pray for the peace of the Church, and from the pulpit in Siena had his reasons for not going to Savona set forth at length. His Cardinals urged him to abdicate without going to Savona, and solemn agreements were made what bishoprics he was to have,[2] and what principalities were to be assigned to his nephews as the price of his retirement. More ambassadors passed between the Popes; Benedict offered to advance to Porto Venere, at the end of the Gulf of Spezzia, the southernmost extremity of the Genoese territory, if Gregory would advance to Petra Santa, the furthest point of the Luccese. The negotiations were endless and wearisome, and their general result is summed up by Leonardo Bruni: 'One pope, like a land animal, refused to approach the shore; the other, like a water beast, refused to leave the sea.'[3] All who were anxious for the union of the Church were weary of these perpetual hesitations. Cardinal Valentine of Hungary had dragged his aged frame to Siena, in hopes of being present at the extinction of the long Schism; he was soon disillusioned,

Gregory XII. fails to appear at Savona. November 1, 1407.

[1] Dietrich of Niem accuses Gregory of complicity with Ladislas, but Dietrich cannot allow for feebleness of mind, and puts everything down to design. I rather trust the opinion of Leonardo Bruni, *Ep.* ii. 17: 'In nostro Pontifice recta et simplex natura; sed ut quisque bonus et simplex facile decipitur . . . Formidines inanes illi injiciunt, et recta volentem nonnunquam inflectunt.'

[2] The Archbishopric of York, wrongly supposed to be vacant, was one of the provisions to be made for him. Niem, *Schism*, iii. 21.

[3] *Com.*, Mur., xix. 926.

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and as he felt his strength failing him, and caught the hungry eye of Antonio Correr cast upon his plate and horses, the old man rose in wrath from his sick bed. 'You shall have neither me nor my goods,' he said, and in the depth of winter had himself conveyed to Venice, and thence home, where he died in peace. Still, grievous as the delay might be from the ecclesiastical point of view, it was the inevitable result of the overreaching policy of France in urging the conference at Savona. Germany, England, Venice, and Naples all looked on with suspicion, and the vacillation of Gregory was increased by the feeling that he had powerful support.[1]

Gregory XII. at Lucca. January 1408.

In January 1408 Gregory moved to Lucca, where, under pressure of the Florentines and Venetians, he wrote to Benedict, on April 1, proposing Pisa as a place of meeting; he could approach it by land and Benedict by sea, each in a day's journey; it was well supplied with all necessaries, and was preferable to the small fortress which had been talked of before. It was now Benedict's turn to raise difficulties, and he refused to give a decisive answer. On April 16 the French ambassadors informed him that a personal conference, on which he seemed to set so much value, was not necessary for the purpose of a common abdication; if he considered it to be so, let him accept the guarantees offered and go to Pisa. Before, however, this point could be settled, Gregory took advantage of the disturbances in Rome to withdraw from his offer and enter upon a new course of policy.

Seizure of Rome by Ladislas. April 1408.

Matters in Rome had been going on worse and worse since the Pope's departure. The designs of Ladislas were plain, and there was no one in Rome to offer much resistance. Power was divided between the Legate, the city magistrates, and Paolo Orsini, the leader of the troops. None knew how far the other was in the pay or in the interests of Ladislas. Disturbances and troubles of every kind came upon the city. On January 1, 1408, the Legate imposed a heavy tax upon the Roman clergy, who met together and determined not to pay it; meanwhile they determined not to ring their church bells or celebrate mass. The magistrates put down this clerical rebellion by imprisonment, mass was again said, and the tax had to be paid: but the treasures of the churches were to be taken for that purpose; statues of the saints and precious reliquaries were

[1] Piero Minerbetti, in Tartini, ii. 572.

melted down into money. It was a hard winter, and there was great scarcity of bread in Rome, which the Legate in vain tried to ward off by processions, and the display of the handkerchief of S. Veronica. As was natural, outrages became common; pilgrims were robbed and killed on their way to the city. Everything was in confusion, and the only desire of the chief men seems to have been to prepare the way for Ladislas. On April 11 the Cardinal Legate, as a means of shaking off his own responsibility, called into existence the old municipal organisation of the Banderisi, who took an oath of fidelity to the Church before the Legate, and received from his hands the banners made after the ancient fashion.[1] The restored officials had the satisfaction of a few ceremonials, 'to the great joy of the people,' but their rule was brief: the old Roman Republic had been galvanised into existence for a few days that it might endure the ignominy of surrender to the King of Naples. On April 16, Ladislas, with an army of 12,000 horse and as many foot, appeared before the walls of Ostia, which was traitorously surrendered to him on April 18. On the 20th he appeared before Rome, and pitched his camp by the church of S. Paolo. The city was still strong enough to resist a siege, but supplies had been neglected, and everywhere was helplessness and suspicion. Paolo Orsini began to negotiate with Ladislas, and the Banderisi thought it wise to be beforehand with him. On April 21, Rome gave up to Ladislas all her fortresses; the Cardinal Legate hastened to leave the city; the luckless Banderisi resigned their office, and the government was placed in the hands of a senator named by the King of Naples. On April 25 Ladislas entered Rome in triumph and there was much shouting and magnificence. Ladislas had at length obtained his end and made himself master of Rome. He stayed in the city for some time arranging its affairs; he appointed new magistrates, received the obedience of the neighbouring towns Velletri, Tivoli and Cori, and welcomed also the ambassadors of Florence, Siena and Lucca, congratulating him on his triumph. His troops advanced into Umbria, where Perugia, Orte, Assisi and other towns at once recognised his sway. The craft of Ladislas had gained its end, and the temporal power of

[1] *Diarium Antonii Petri* (Mur., xxiv. 989): 'Receperunt banderas consuetas tempore antiquo uti Dominorum Banderesiorum, videlicet de novo factas, et adhuc non completas cum signo Pavesati et Balisteri.'

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the Papacy had passed into his hands. Many of his predecessors on the throne of Naples had striven to enrich themselves at the expense of the States of the Church, and to obtain influence in the city of Rome. Ladislas had succeeded not through any wisdom of his own policy, but through the hopeless weakness of his antagonists. The Papacy was crippled and discredited, the freedom of the city of Rome had died away. There was no dauntless Pope, backed by the public opinion of Europe, to oppose the spoiler; there was no sturdy body of burghers to man the walls in defence of the civic liberties. So utterly had the prestige of Rome, the memories of her glories passed away from men's minds, that her sister republic of Florence could send and congratulate Ladislas on the triumphal victory which God and his own manhood had given him in the city of Rome.[1]

Change of policy on the part of Gregory XII. April 1408.

It would seem that the knowledge of the intentions of Ladislas against Rome had stirred up the crafty mind of Benedict to a scheme on his own behalf. Benedict had always had some adherents in Rome, and is said to have spent large sums of money in raising up a party in his favour. He managed to gain the favour of Marshal Boucicaut, the French governor of Genoa, who sent out eleven Genoese galleys to forestall Ladislas and make a dash upon Rome in Benedict's behalf. The attempt, however, was too late, for the galleys only sailed from Genoa on April 25, the day on which Ladislas entered Rome. The knowledge of this bold design gave Gregory XII. just grounds for distrusting his rival; and he could rejoice that Rome had fallen before Ladislas rather than Benedict. He could now plead Benedict's perfidy, and the momentous events which had happened in Rome, as reasons why he could not at present proceed to a conference at Pisa.[2] Political reasons had entirely overshadowed ecclesiastical obligations; his nephews had completely succeeded in dispelling from the old man's mind any further

[1] Instruction to the ambassadors, quoted by Gregorovius (*Geschichte der Stadt Rom*, vi. 584), from the Florentine Archives: 'Colui sommamente vi ralegrarete della triumfale vittoria in quale Iddio et ancora la sua virtù gli anno conceduto nella città di Roma.'

[2] Antonio a Butrio, in Mansi, xxvii. 319: 'Interim rex Apuliæ Romam invadit; eam suo subdit imperio; festum fecit Gregorius et cum muneribus suscepit nova deferentes. Asserit Benedictum tractatum habuisse in Roma; hinc causat discessum a tractatu; hic, ut ait, non sincere ambulat; quærit me capere. Hoc confirmant adulatores pacis inimici.'

thoughts of his solemn oath to promote the union of the Church by his abdication. When a preacher at Lucca urged upon Gregory, in a discourse before the Cardinals, his duty to labour for the restoration of unity, the nephew Paolo Correr seized the indiscreet orator even in the church, flung him into prison, and only released him on a promise never to preach again. The legate Stefaneschi who had fled from Rome was received at Lucca without reproof. Everyone believed that Gregory had a secret understanding with Ladislas, and that all that had occurred in Rome had been done with his connivance, as a means of averting any further talk of a conference.[1] Ladislas expressed his intention of being present to assert his rights at any conference that might be held. He urged on Gregory the further step of nominating new Cardinals.

Creation of new Cardinals by Gregory XII. May 8, 1408.

Gregory XII. again plucked up his courage and prepared to enter upon a new career, no longer as a 'commissioner for unity,' but as a Pope who was a political necessity to resist the policy of France. He spoke of the proposal for his abdication as 'a damnable and diabolical suggestion'; he wrote to his envoy in France to desist from further negotiations; and resolved to follow the advice of Ladislas, and strengthen himself for his new position by the creation of a batch of Cardinals on whose support he might rely. This raised the entire question whether Gregory XII. was to be held bound by his oath made at election, and the Cardinals, who still held by their former policy, were strengthened in their determination to resist the Pope by the advice of Florentine envoys. On May 4, Gregory XII. announced to the nine Cardinals who were with him his intention of proceeding to a new creation; he declared that the events which had occurred gave him a just reason for supposing that the term mentioned in his oath at election had been reached; he ended by naming four Cardinals, two of them his nephews, one of whom, Gabriele Condulmier, afterwards became Pope Eugenius IV. Wishing to cut off from the Cardinals all opportunity of protest, the Pope ended by saying, 'I order you all to keep your seats.' They gazed in speechless indignation on one another. 'What is the meaning of such

[1] Sozomen. Pistor. (Mur., xviii.) 1192: 'Gregorius XII. Papa, postquam audivit Ladislaum cepisse Romam, valde fuit alacer, nam clam de voluntate ejus rex capiebat terras ecclesiæ.'

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an order?' asked the Cardinal of Tusculum. 'Since I cannot act rightly with you,' replied the Pope, 'I wish to provide for the Church.' 'Rather you wish to destroy the Church,' was the retort. By this time others had recovered their courage. 'Let us die first,' said the boldest of them, and rose to his feet to protest. There followed a scene of anger and expostulation which afforded Leonardo Bruni, who was present, an opportunity for psychological study which the men of the early Renaissance keenly enjoyed.[1] Some grew pale, others turned red; some strove to bend the Pope by entreaties, others assailed him with their wrath. One fell at his feet and besought him to change his mind; another assailed him with menaces, a third alternated between soothing his colleagues and supplicating the Pope. All was of no avail. 'Whatever I do, you oppose,' was the wail of the querulous old man. At last Gregory dismissed the Cardinals with a prohibition to quit Lucca, to meet together without his leave, or to have any dealings with the ambassadors of Benedict XIII.

Flight of the Cardinals of Gregory XII. to Pisa. May 1408.

In vain the Lord of Lucca, with the chief citizens, tried to make peace, and the Bishop of Lucca, who had been one of the newly nominated Cardinals, was compelled to declare that, under the existing circumstances, he would never accept the office. Gregory XII. persevered in his intention, and summoned the Cardinals to a consistory, in which he was to publish his new creations; when they refused to come, he performed the ceremony in the presence of a few bishops and officials. The old Cardinals declared that they would never recognise these intruders; they determined to leave Lucca, where they could not be sure of their personal safety. On May 11 the Cardinal of Liège set the example of flight. Paolo Correr sent soldiers to pursue him, while he himself turned his attention to the seizure of his goods: when his men returned without the fugitives, Paolo vented his anger on the Cardinal's servants, till he was checked by the city magistrates, through fear of the Florentines. Next day six more of the Cardinals fled, and all assembled at Pisa, whence they sent Gregory XII. an appeal from himself to a General Council, and addressed an encyclical

[1] See the characteristic description in Leon. Aret., Epist. ii. 15: 'In nova et subita re prospicere licebat quid in unoquoque animi vigorisque inesset.'

letter to all Christian princes, declaring their zeal for the union of the Church, the failure of Gregory to keep his promises, and their hopes that all princes would aid them to establish the union which they desired. Gregory XII. replied by accusing them of sacrilegious intrigues against his person, and constant hindrance to his endeavours after union. The breach was thenceforth irreparable, and a war of pamphlets on both sides embittered the hostility.

Benedict XIII. issues a Bull of excommunication against those who withdraw from his obedience. May 1408.

Benedict meanwhile was not in a position to enjoy a triumph over his rival. The assassination of the Duke of Orleans (November 23, 1407) had deprived him of his chief supporter in France, and the University of Paris lost no time in urging the King to carry out the long threatened withdrawal of obedience. The King wrote on January 12, 1408, to Benedict saying that he was afraid the Schism tended to grow worse instead of better, and unless a union had been brought about before Ascension Day next, France would declare her neutrality until one true and undoubted Pope should be elected. Benedict had long foreseen this step and was prepared for it. He wrote the King that the threat of neutrality was equally opposed to the King's honour and to the will of God; he could not pass it over in silence; let the King revoke his decision, or he would fall under the censures of a Bull which had been prepared some time ago, though not yet published, and which he now enclosed. The Bull was dated May 19, 1407, from Marseilles, and pronounced excommunication against all who should hinder the union of the Church by measures against the Pope and Cardinals, by withdrawal of obedience, or appeal against the Papal decisions; the excommunication, if not heeded, was to be followed by an interdict.

The Bull condemned by the University of Paris.

On May 14, 1408, this Bull was delivered to the King. It was Benedict's last move, and Benedict had miscalculated its efficacy. He hoped, no doubt, that the feeble-minded King, who, throughout all this matter, had merely been the mouthpiece of others, would shrink before the terrors of excommunication. He hoped that the disturbed state of the kingdom might make politicians pause before they added to its other troubles a contest with the Pope. But Benedict did not realise how the prevarications of the last few years had lost him his moral hold upon men's minds, and he had not yet

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learned the strength of the University of Paris. The Bull contained nothing contrary to custom or to canon law, and the politicians in the King's Council doubted what to do; but the University had no hesitation. It boldly pronounced those who had brought the Bull to be guilty of high treason, and demanded a public examination of its contents. This took place on May 21, when a Professor of Theology, Jean Courtecuisse, impeached the Bull as an attack upon the royal dignity and the national honour, accused Benedict of promoting the Schism, and declared him deserving of deposition. The University then presented their conclusions, which denounced Benedict as a schismatic and heretic, to whom obedience was no longer due; his Bull should be torn in pieces, and all who had brought or suggested it should be punished. The royal secretary cut the Bull in two, and handed it to the Rector of the University, who tore it into shreds before the assembly. Some of Benedict's friends were imprisoned on the suspicion of being previously acquainted with the contents of the Bull; even Peter d'Ailly only escaped by prudently absenting himself from Paris. The University again behaved with the same violence as it had shown in 1398, and even treated with injustice some of its most eminent sons. Nicolas de Clémanges, as Benedict's secretary, was suspected of having written the Bulls, and though he persistently denied it, he dared not enter France for some years, and when at length he returned, it was only to end his days in obscurity.

Flight of Benedict XIII. to Perpignan. June 15 1408.

Urged on by the University, the King proclaimed the neutrality of France, and wrote on May 22 to the Cardinals of both parties, exhorting them to leave these Popes, who had not been able to find any place in the world suitable for the discharge of their solemn oaths and for the relief of the afflicted Church. Four of the Cardinals of Benedict XIII. were sent to Livorno to confer with four of Gregory XII.'s Cardinals; the result of their joint deliberations was that it was best to summon a General Council, before which both Popes might resign. Benedict's Cardinals affirmed that they were commissioned by their master to accept this course; but Benedict denied that he had given them any such power. He felt, however, that he was not safe from personal danger in any land where French influence prevailed; he knew that Boucicaut was again commissioned to

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seize him, and on June 15 he sailed away from Porto Venere, accompanied by four Cardinals, and took refuge in his own land at Perpignan, in the county of Roussillon. Still he retained his dignity and his resolute will; before his flight he wrote in a tone of lofty remonstrance to Gregory, and as the cry of Christendom was now for a Council, he issued a summons to a General Council to be held at Perpignan on November 1.

Gregory XII. takes refuge in Rimini. November 1408.

Gregory XII. could do nothing but follow this example; he proclaimed a Council to be held at Whitsuntide, 1409, in the province of Aquileia or the exarchate of Ravenna. He could not be more precise, for he was uncertain where he could find shelter. On July 12 he issued an appeal to his rebellious Cardinals, offering them forgiveness if they appeared and asked for pardon within the month of July. He did not, however, think it worth while to stay at Lucca and await them. On July 14 he quitted the city, and two of the Cardinals who were still with him took advantage of the opportunity to join their colleagues at Pisa. Gregory went forth on his journey with a scanty band of followers; only one of his old Cardinals still remained with him.[1] He did not know where it was safe for him to go, as disquieting rumours reached him that the Cardinal Baldassare Cossa, legate in Bologna, had publicly burned his Bulls and was raising troops against him; finally he took refuge in Siena, which was in close alliance with Ladislas. From Siena (September 17) he issued a Bull revoking the legatine powers of Cardinal Cossa; it was a useless measure, as Cossa had already sent in his adhesion to the Cardinals at Pisa. In September Gregory created ten new Cardinals, and early in November left Siena for Rimini, where he put himself under the protection of the powerful Carlo Malatesta.

The Cardinals summon a Council to meet at Pisa. July 14, 1408.

Meanwhile the Cardinals at Livorno were agreed in maintaining their policy, and on June 29 they entered into a solemn agreement to establish the unity of the Church by a General Council, after the abdication, death, or deposition of the two Popes. On July 1, Gregory's Cardinals issued a letter to his entire obedience, calling upon all to withdraw from him and pay him no more of the dues of the Church, so that his obstinacy might

[1] *Chronica di Lucca* (Mur., xviii. 893): 'Si mosse da Lucca con assai piccola brigata, perochè molti pochi cortigiani lo seguio, e de' tre Cardinali vecchi, ch'erano in Lucca, uno solamente andò con lui, et questo fu il Cardinale di Todi.'

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be conquered. When Gregory issued his summons to a Council, they declared that under existing circumstances he had no right to do so, as the unity of the Church could not be established by means of a Council held by either Pope. Benedict's Cardinals wrote to him in a similar strain; and finally, on July 14, the united Cardinals issued to all bishops an invitation to a Council to be held at Pisa, on May 29, 1409; and sent to all courts a request that they would take part in it. The Venetians, Florentines, and Sienese sent ambassadors to attempt a reconciliation between Gregory and his Cardinals. Gregory asserted that he alone had the right to summon a Council. The Cardinals replied that he could in any case only summon a Council of his own obedience, and not of the Universal Church; yet, to show their desire for peace, they would receive him with all honour. On October 11 they issued an address to all prelates who still adhered to the Pope, calling on them to leave him and share in their pious undertaking. Benedict's Cardinals wrote, on September 24, and besought him to join with them in summoning the Council at Pisa, and to recall his summons for a Council at Perpignan. Benedict's reply was characteristic of his legal mind: he wondered at the steps they had taken without him; if they could show that their proceedings were in accordance with the canons, he would, through love for peace, agree with their wishes; meanwhile he could not revoke his Council, as already many prelates were assembled; but, with the help of God and his synod, he would soon frame a decree for ending the Schism.

Benedict XIII.'s Council at Perpignan. November 1408–February 1409.

Benedict's Council met at Perpignan on November 1, and was attended by about 120 prelates. The opening ceremonies went smoothly enough. All listened with sympathy to Benedict's justification of himself, and account of all his labours to bring about the unity which he so much desired. A commission of sixty, which afterwards was reduced to thirty, and again to ten, was appointed to discuss this question. The Council dwindled away before the commission had reported in favour of the abdication of Benedict, and the sending of envoys to lay this proposal before the Council of Pisa. Benedict received this report on February 12, 1409, and agreed to act upon it. Envoys were nominated accordingly; but, through the misjudging zeal of the French, they were imprisoned at Nismes, and were deprived of their instructions. Benedict's conciliatory temper

passed away, and on March 5 he answered the Cardinals' summons to the Council of Pisa by a solemn excommunication of them and their adherents.

Loss of the obedience by both Popes.

The course, however, of the two rival Popes was run. They had wearied out the patience of Christendom with illusory promises and endless delays, till men had ceased to pay much heed to them, and their obedience had dwindled away to the few who had a direct interest in maintaining their power.

It is impossible not to feel sympathy for them both as victims of circumstances which they had no part in creating. They lamented the Schism, as did others, and would gladly have seen its end; but they were bound to consider the dignity and rights of the office which they claimed to hold. It was easy for those who framed crude plans for the solution of the difficulty to lay all the blame of failure on the obstinacy of the Pope.

Character of Gregory XII.

Gregory XII. had been elected Pope on the ground of his integrity of character and the senile weakness which was rapidly growing upon him. The Cardinals sought to protect their own interests by the choice of a Pope who would retain office only long enough to enable them to make a good bargain for themselves; they forgot that the weakness, which rendered their creature amenable to themselves, made him equally subject to the influence of others who had more exclusive interests at stake. Gregory XII. soon fell into the hands of his nephews, who adroitly managed to identify his cause with that of opposition to the influence of France. For a time Gregory XII. had a position in the affairs of Europe; but when once the plan of a congress at Savona had been defeated and the Cardinals in despair undertook a revolutionary scheme to restore unity to the Church, Gregory's cause was abandoned and his position was gone. In public matters Gregory XII. was merely a puppet in the hands of others, his Cardinals, his nephews, the King of Naples in turn, and his actions were merely a series of subterfuges and pretences; yet he himself retained his simplicity and uprightness of character, so that many who disapproved his conduct still reverenced the man. 'I followed the Pope from Lucca,' says Leonardo Bruni, 'rather through affection than because I approved his course. Yet Gregory had great integrity of life and character; moreover, he was learned in the Scriptures and had subtle and true power

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of investigation. In short, he satisfied me in all things save in the matter of the union of the Church.'[1] We feel pity, rather than contempt, for one of simple character who was set in a position beset with difficulties and temptations which he had neither skill to grapple with nor strength to resist.

Character of Benedict XIII.

Far different was the character of Benedict XIII. A man of trained and vigorous intellect, strong character and indomitable resoluteness, he failed through intellectual rather than moral faults. His mind was too abstract and his point of view too technical; he dealt in a dry legal spirit with a problem which concerned the very life of Christendom. He felt from the beginning that, as a foreigner, he had scant justice dealt him in France. He knew that he had no strong power to back him, no nation deeply interested in maintaining him. He was keenly alive to the personal element in all the proceedings of the University and Court of France, and he resented the thought that the dignity of the Papal office should be impaired while in his hands. His position was legally as rightful as had been that of Clement VII.; why should language be used towards himself that had never been addressed to his predecessor? why should he be treated as a criminal and be subjected to threats and persecutions? With dignity and astuteness he carried on an unequal struggle. He was always ready with an answer; it was impossible to take him at a disadvantage in argument. Wise and moderate men like D'Ailly and Clémanges were on his side so long as it was possible, and regretted the violence of the University, which gave Benedict no loophole whence to escape with dignity. Moreover Benedict himself never gave way to violence till the last, when his cause was hopeless. While a prisoner at Avignon he issued no excommunications against his foes, but bided his time patiently. He bore no ill will or rancour, and his equanimity never gave way under the strain of the conflict. 'He was kindly to those around him and inspired strong personal attachment; he was a genuine student, a lover of books and of learned men, and was scrupulous in the discharge of his ecclesiastical duties. His many good qualities are worthy of admiration, and he had all the elements of a great ecclesiastical statesman. Unfortunately the problem with which he had to deal was one which

[1] Leon. Aret. *Com.*, Mur., xix 926.

statesmanship alone could not solve. Europe was weary of the Schism and France had no interest in maintaining a Spanish Pope. Benedict XIII. contented himself with upholding the technical legality of his position against what he rightly thought an ill-considered attempt on the part of the University of Paris to solve a difficult problem by recourse to violent measures. The fault of Benedict XIII. was that he had no plan of his own for meeting the growing desire for a union of the Church. It is his merit that he made a dignified resistance; he maintained an unequal struggle, which prevented the settlement of the affairs of the Church from falling into the hands of the unstable government of France. A revolution headed by the Cardinals was preferable to the political intervention of the French Court.

## CHAPTER VI.

### THE COUNCIL OF PISA.

### 1409.

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Preparations for the Council in Germany.

CHRISTENDOM had fallen away from the two refractory Popes, and the Cardinals had undertaken to heal the Schism of the Church. All plans had failed which rested on either the voluntary or compulsory withdrawal of one or both of the contending Popes. It was impossible to get rid of these two claimants to the Papal dignity and yet leave the foundations of that dignity itself unmoved. The bold theory of an appeal from the Vicar of Christ on earth to Christ Himself residing in the whole body of the Church was to be tried, and the long-forgotten name of a General Council was again revived. The Cardinals, however, knew that the weight of such a Council would depend upon the fulness of its representation; and they did all they could to win the recognition of the princes of Europe. France, of course, was anxious for a Council. Henry IV. of England accepted it willingly, and even wrote to Rupert, King of the Romans, urging him to take part in it.[1] The difficulty lay with Germany, where Rupert and Wenzel both claimed the Imperial title. Wenzel offered to send ambassadors to the Council if they were received as the ambassadors of the King of the Romans.[2] When this was agreed to, he published, on January 22, 1409, a declaration of neutrality throughout his dominions. This, however, had the effect of rendering Rupert uneasy. He was uncertain what view a new Pope might take of his claims, which had been recognised by Boniface IX., and were bound up in the recognition of Gregory XII. At a Diet held at Frankfort, in January 1409, Cardinal Landulf of Bari

[1] Martene and Durand, *Ampl. Coll.* vii. 887.
[2] *Ibid.* p. 891.

maintained the cause of the Cardinals, and Gregory's nephew Antonio the cause of the Pope. The majority of the princes were in favour of the Cardinals, but Rupert still held to Gregory; and it was finally resolved that both parties should send envoys to the Council to represent their views.

Satires against the Popes.

Nor was it only in high political matters that the Cardinals pursued their efforts for Gregory's overthrow. Pisa itself was a manufactory of satires and invectives against him. One may be quoted as a remarkable instance of the mediæval notions of reverence and of wit. Two of the Cardinals died in Pisa, in July 1408, and a letter purporting to give their experiences of the politics of the other world was found one morning affixed to the gates of the Cathedral of Pisa. It describes with rhetorical realism a consistory held by Christ in Heaven, in which one of the saints rises and calls attention to the distracted state of the Church on earth. He is made to describe the two Popes and their followers with the vilest scurrility of personal spite.[1] After hearing this speech, the Cardinals meet with a friend, who tells them that, on his road to Paradise, he happened to miss his way and peep into the regions of punishment, where he saw a fiery chariot being prepared for Gregory, to which were harnessed the chief persecutors of the Church. He saw Urban VI. and Clement VII. made objects of mockery even by their fellow-sufferers in the abode of heretics; while Innocent VII. was condemned to menial work in Heaven, where he hid himself from shame at the thought that he had made Gregory a Cardinal. Finally, the two Cardinals are welcomed by the Almighty into the heavenly assemblage, and are assured that a blessing will rest on the labours which they have begun.[2]

[1] The document is given in Martene and Durand, *Ampl. Coll.* vii. 826, &c. A sample of the language in which Gregory's Cardinals are described in it will show the decency and humour of the writer. 'Tertius frater Johannes Dominici qui claustra sanctimonialium frequentando, super nova prole fœcundans, multas S. V. dedicatas virgines effecit matres filiorum lactantes. . . . Urinale clisten et gladium portans succedit quartus, protonotharius Utrinensis, qui suæ sedi tutus sterquilino sordescens, omnium honestorum nares olentis suæ infamiæ putredine inficit.' Gregory is called 'rapa errorius,' and his Cardinals 'carpinales.' In the same style is a letter to Cardinal John Domenici, purporting to come from Satan, in Niem, *Nemus Unionis, Labyrinthus* 29.

[2] It is noticeable as a feature of the intellectual life of the times that it is not considered incongruous to represent the Deity as quoting Virgil. 'Pro salutatione, æternum vale; et illud Virgilianum semper habere præ oculis: Tu

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There were many such pamphlets, and much coarse wit was mingled with theological discussion. In one, which issued from the University of Paris, Peter de Luna is reminded that, if he were true to his name, he would be shining like the moon in a clear sky; as it is, he is eclipsed by clouds of vanity. Angelo Correr is informed that his name means 'angel'; but he seems to be Satan transforming himself into an angel of light.[1]

Power of Cardinal Cossa at Bologna.

The great question, however, for the Cardinals was to strengthen themselves in Italy. It was clear that Ladislas would maintain the cause of Gregory; and, such was the power of Ladislas in Italy, that he might render insecure the position of the Cardinals in Pisa, and bring their Council to naught. The Cardinals looked for help to one of their own number, Baldassare Cossa, who in the days of Boniface IX. had been made legate in Bologna, over which he established himself supreme. Cossa was a Neapolitan, who began his career as a piratical adventurer in the naval war between Ladislas and Louis of Anjou. When peace was made, his occupation was gone, and he determined to seek advancement in other ways, though his old habits never entirely left him, and he had a robber's custom of working all night, and sleeping only when dawn appeared. He entered as a student in the University of Bologna, which he quitted for Rome, where Boniface IX. soon recognised and esteemed his practical sagacity. He was made by Boniface one of his chamberlains, and his ingenuity in extorting money won the Pope's admiration. Cossa would write to absent bishops, warning them with all friendly concern that the Pope was indignant with them, and intended to transfer them from their present posts to some unknown regions or districts in the hands of the Saracens; after thus exciting their fears, he proffered himself for the office of treasurer of the gifts which they eagerly sent to propitiate the Pope. Besides this, he organised and superintended the vast army of Papal officials who went out for the sale of Indulgences. Boniface recognised his merits by making him Cardinal in 1402; and when, on the death of Gian Galeazzo Visconti, there was an opportunity of extending the power of the Church in Æmilia, Cardinal Cossa

ne cede malis sed eo audacior ito, quo te, non ut ipse dicit, fortuna, sed Deus vocat. Et illud Lucani,' &c.

[1] Martene, *Amp. Coll.* vii. 849.

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was sent as legate, and established the Pope's power in Bologna. Thenceforth he ruled the city and the district with firmness and severity. He knew how far to allow a plot to proceed before bringing it to light and punishing its authors; he knew how to involve in charges of treason those who stood in his way; and, while carefully strengthening the fortifications, he pleased the citizens by beautifying their city.[1] He managed to turn to his own purposes the schemes of Alberigo da Barbiano, who strove to make himself a principality in the Romagna. When Alberigo pressed on Faenza, Cardinal Cossa bought the signory for the church from the terrified Ettore de' Manfreddi, and occupied the territory. He borrowed the money from the city of Bologna, but did not pay it to Manfreddi, whom in November 1405 he invited to Faenza, and put to death on the charge of attempted treason.[2] At the same time died Cecco degli Ordelaffi, lord of Forlì, leaving a young son to succeed him. Cossa claimed Forlì for the Church, on the ground that the grant of Boniface IX. had been a personal grant to Cecco. The people of Forlì rose and reasserted their old municipal government. For a while there was war; but in 1406 peace was made, and the Republic of Forlì recognised their allegiance to the Roman Church by accepting a Podesta and Legate from Rome. These triumphs abroad improved Cossa's hold upon Bologna, which he ruled as an independent prince. Complaints were made against him to Innocent VII., but Cossa imprisoned the complainants, and Innocent was too feeble to do more than express his distrust. Cossa openly defied Gregory XII., and refused to admit his nephew Antonio to the possessions of the bishopric of Bologna, which the Pope conferred upon him; he pleaded that he needed them for his own expenses. It was not as a Cardinal, but rather as an Italian prince, that he declared himself in favour of the Council of Pisa, and took the Cardinals

[1] See *Cronica di Bologna*, Mur., xviii. 586, for details of Cossa's work. 'Incominciò a fare alzare la Piazza e a selciarla a spese dell' entrata di San Petronio, e venne a perfezione, e fu una bell' opera. . . . Colla sua prudenza acquistò la Signoria di Faenza, onde ne fu grande allegrezza in Bologna.'

[2] *Ibid.* 589. 'Estore figliuolo di Messer Giovanni de' Manfreddi. . . . fu chiamato maliziosamente da Messer Baldassare Cossa, che si era chiaramente informato che il detto Estore gli voleva togliere Faenza a tradimento. Onde Estore ebbe tagliata la testa nella Piazza di Faenza.'

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under his protection. It was said that he bore a deadly hatred to Ladislas, who had captured and put to death two of Cossa's brothers, who had not been so wise as himself in desisting from piracy in good time. Without this motive of vindictiveness Cossa had motives of self-interest to induce him to side with the Cardinals. He became at once the most powerful man amongst them, and his support was necessary to enable them to carry out their Council. Cossa saw the Papacy henceforth dependent on himself.

League of Cossa against Ladislas.

Cossa's first step was to secure Florence for the side of the Cardinals; and Florence, which had always been on good terms with the Popes at Avignon, was easily won over. Early in 1409 a Council of Florentine ecclesiastics determined that they were in conscience bound to withdraw from allegiance to Gregory; and this determination was announced to take effect from March 26, in case he did not appear or send commissioners with full power to the Council of Pisa. Moreover, Cossa succeeded in establishing firmly a league between Florence and Siena, so as to secure the safety of the Council against an attack of Ladislas.[1] Had it not been for Cossa's skill, the Council might easily have been disturbed by the hostile demonstrations of Ladislas, who was determined to uphold Gregory as long as possible, and meanwhile to get all he could from a Pope who had no other refuge than himself. Gregory had sunk to the lowest pitch of degradation: he sold to Ladislas for the small sum of 25,000 florins the entire States of the Church, and even Rome itself.[2] After this bargain Ladislas set out for Rome, intending to proceed into Tuscany and break up the Council. He entered Rome on March 12, and took up his abode in the Vatican, where he lived in regal state, and appointed new magistrates for the city. On March 28 he left Rome for Viterbo, but was driven back by a violent tempest, and again set out on April 2. His standard bore a doggerel rhyme[3]:—

> Io son un povero Re, amico delli Saccomanni,
> Amatore delli Popoli, e destruttore delli Tiranni.

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[1] See Poggio, *Hist. Flor.*, in Mur., xx. 307, &c.

[2] Cf. Sozomen, *Specimen*, in Mur., xvi. 1193, and Bonincontrius, *Annales*, Mur., xxi. 100, for this almost incredible act.

[3] *Diarium Antonii Petri*, Mur., xxiv. 999. The Saccomanni were the mercenary soldiers or plunderers.

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Failure of Ladislas to prevent the assembling of the Council.

With this assuring promise he marched northwards and threatened Siena, which was too strong for assault, having been reinforced by a Florentine garrison. Florence, true to her policy of opposing the overweening might of any power, resolved to hold by the Cardinals and further the election of a new Pope, so as to have a barrier against the outspoken intentions of Ladislas to seize the States of the Church. Already they had warned Ladislas that they could not recognise his sovereignty over the States of the Church; and when he scornfully asked with what troops they would defend themselves, the Florentine ambassador, Bartolommeo Valori, answered, 'With yours.' Ladislas checked himself, for he knew that the wealth of the Florentine citizens could allure his followers from his ranks. It was lucky for Cossa's plans that on April 26 died Alberigo da Barbiano near Perugia, when on his way to join Ladislas at Rome. Alberigo was full of indignation against Cossa, who had seized his castles in Romagna, and his death robbed Ladislas of an important ally. To check the progress of Ladislas, the Florentines engaged Malatesta de' Malatesti, lord of Pesaro, who, being far outnumbered by Ladislas, could only pursue a cautious policy of cutting off supplies and harassing the advance of the army. When Ladislas found that he could not take Siena, he pressed on to Arezzo, which also closed its gates against him; thence he made an attempt on Cortona, which was also unsuccessful. Though master of the country, he could not capture any fortified place, but only laid waste the fields. The peasants began to mock at him, and gave him the nickname 'Rè Guastagrano,' 'King Waste-the-Corn.'[1] A second attempt on Cortona was more successful, as the citizens, through hatred to their lord, plotted with Ladislas and opened the gates to his troops on June 3.

Pisa at the time of the Council.

Meanwhile the Council was sitting peaceably at Pisa, and the attempt of Ladislas to prevent its assembling had entirely failed. The luckless city of Pisa greeted with joy the meeting of the Council within her walls. Once mistress of the trade in the Mediterranean, and chief in wealth and importance among the Italian cities, she had sunk from her lofty position,

[1] Piero Minerbetti, in Tartini, ii. 600. The account of this expedition of Ladislas is given by Poggio, *Hist. Flor.*, book iv.; by Jacopo Delayto, in Mur., xvii. 1083, &c., and by Piero Minerbetti as above.

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overshadowed first by Genoa and then by Florence. Internal dissensions accomplished the work of her downfall; she passed from one lord to another till, in 1405, the once haughty city was sold as a chattel to Florence. Florentine rule was not established without a desperate struggle, in which the Pisans were reduced only by famine, and in the hour of their uttermost despair were betrayed by him whom they had chosen leader of their last desperate defence. But, though reduced, the Pisans were not subdued, and their old spirit of independence was still strong within them. Pisa in this condition of enforced quietude, with its many memories of departed glories, was well fitted to be the meeting place of the Council which was to restore the peace of Christendom.

The building, moreover, in which the Council was held is the noblest monument which Christendom contains of the aspirations and activity of the mediæval Church. Nowhere is a more vivid impression gained of the magnificent sobriety and earnestness of the Italian citizen than when first the Cathedral of Pisa strikes upon the eye. Away from the Arno, with its throng of ships and noise of sailors, away from the Exchange where merchants congregate, away from the Piazza where the people meet to manage the affairs of their city, away at the extremest verge of the city, where there is nought that can hinder the full force of their impressiveness, the Pisans raised the noble buildings which tell the sincerity of their piety and the greatness of their municipal life. The stately simplicity of the vast basilica, which was consecrated in 1118, shows how the rich fancy of the Lombards enriched without destroying the purity and severity of the Roman forms. The graceful proportions of the Baptistery, which was begun in 1153, testify the increased freedom of handling among the Pisan architects, and the Campanile is a memorial of their determination of spirit and joyous resoluteness in facing unforeseen difficulties. The exquisite Gothic cloister of Giovanni Pisano surrounding the peaceful burying-ground of their forefathers tells of the poetic seriousness of the Pisan people and the freshness of their great architects to receive new impulses. Nor was this all; inside these splendid buildings were stored the treasures of Italy's earliest and most reflective art. The Pisan school of sculpture put forth all its strength and grace in decorating the great

church of the city; the most thoughtful and earnest of the flourishing school of painters at Siena unfolded in allegory on the walls of the Campo Santo the great realities of human life. Such was the place, so full of many and varied associations, to which the assembled Cardinals summoned the representatives of every land in Christendom.

Opening of the Council. March 25, 1409.

The Council was opened on the Festival of the Annunciation, March 25. The long procession of its members formed in the monastery of S. Michele, and wound slowly through the streets to the cathedral. The number of those who attended the Council was imposing, though all had not arrived at first. There were present twenty-two Cardinals of both obediences, four patriarchs, ten archbishops, and sixty-nine bishops; besides these, thirteen archbishops and eighty-two bishops sent their representatives. Seventy-one abbots were present, 118 sent proctors; there were also sixty priors, the Generals of the great orders of the Dominicans, Franciscans, Carmelites, Augustinians, the Grandmaster of the Knights of S. John, and the prior of the Teutonic Knights; besides 109 representatives of cathedral and collegiate Chapters. Ambassadors were sent by Wenzel, King of the Romans; the Kings of England, France, Sicily, Poland, Cyprus; the Dukes of Burgundy and Brabant, Cleves, Bavaria, Pomerania; the Landgraf of Thuringia; the Markgraf Jobst of Brandenburg; the Universities of Paris, Toulouse, Angers, Montpellier, Vienna, Prag, Cöln, Cracow, Bologna, Cambridge, and Oxford. One hundred and twenty-three doctors of theology and more than two hundred doctors of law are said to have been there.[1] It was computed that altogether ten thousand strangers visited Pisa during the period of the Council.[2]

First three sessions of the Council, March 25, 26, 30, 1409.

The first day of the Council, March 25, was devoted to the procession, and solemn service in the cathedral. Next day the Council assembled in the long nave of the cathedral. After mass a sermon was preached by the Cardinal of Milan; then all knelt in silent prayer, which was followed by a Litany, and then the assembly on their knees raised through the vaulted

[1] The lists of those present at the Council differ somewhat in Mansi, Raynaldus and D'Achery: I have principally followed D'Achery, whose list is in most detail.

[2] Delayto, *Annales Estenses*, Mur., xviii. 1086.

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roof the strain of the hymn 'Veni Creator.' The business of the Council then began, under the presidency of Guy Malésec, Cardinal of Poictiers, who was both venerable from his age and from the fact that he was the only Cardinal who had been created before the outbreak of the Schism.[1] The Archbishop of Pisa, in behalf of the Council, read a solemn profession of faith, and, the better to assert its orthodoxy, ended with a declaration that it firmly held 'that every heretic or schismatic must share with the devil and his angels the burning of eternal fire, unless before the end of this life he be restored to the Catholic Church.' The Council then elected its officials—marshals, auditors, advocates, promoters, notaries—who took the oaths of office. Immediately one of the advocates, Simon of Perugia, demanded that the letters of summons addressed to the two rival Popes be read. When this ceremony had been gone through, he asked that steps be taken to discover whether these men, whom he nicknamed Benefictus and Errorius, had been guilty of contumacy. With a ridiculous imitation of the forms of a law-court, which had no relevancy to the present matter, two of the Cardinals, accompanied by an archbishop, a bishop, and several officials, advanced to the great doors of the cathedral, which were thrown open. Standing on the steps, they summoned the two Popes, and enquired of the gaping crowd if they had seen in the city any of the household of either of them. Then they solemnly returned, and informed the Council that no one had answered to their summons. The advocate hereupon demanded that they should be declared contumacious. The proposition was submitted by the President to the other Cardinals, who gave their voice for delay until the morrow. The other members signified their assent by cries of 'Placet, placet,' and the session came to an end. Next day the same formalities were repeated with the same result, and the third session was fixed for March 30. After a third fruitless summons, the rival Popes were declared contumacious; the one Cardinal still adhering to Gregory and the three who remained with Benedict were called upon to be present at the next session, when further steps were to be taken against Gregory and Benedict if they still refused to appear. To give them time to do so, the day of meeting was fixed for April 15.

[1] Cf. *Chron. de St. Denys*, book xxx., ch. 1. Guy had been created cardinal by Gregory XI., in 1375.

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Basis of the conciliar action.

It was well for the Council to delay that its members might confer privately and assure themselves of the basis upon which their proceedings were to rest. It was one thing to wish to remedy the evils of the Schism; it was another thing to settle the nature of the authority by which the Schism was to be brought to an end. The Papal monarchy had so entirely absorbed all the powers of the Church that its old mechanism had disappeared; and the very principles upon which it had rested were a matter of uncertainty. Opinions were eagerly sought upon this point. Pamphlets were freely published, and different views were set forward which enable us to judge of the difficulties in the way of obtaining the unanimity which was necessary before active steps could be taken.

Opinion of the University of Bologna.

It is worth while to notice some of the principal views by which the freedom of conciliar action was vindicated. Cossa caused the University of Bologna to express its opinion, which it did with the cautious proviso that, if it said anything deviating from the traditions of the Church, it was to be counted as unsaid.[1] It took for its starting-point the proposition that schism of long duration passes into heresy. A Pope elected under an oath to do away with the Schism, if he fail, nourishes heresy; and those subject to him are therefore bound to withdraw their allegiance, and seek a true Pope who will extirpate the Schism. If the Cardinals, whose chief duty it is, do not call a Council for that purpose, provincial synods and princes may take such steps as they think wise in the matter. This opinion, founded on canon law, was technical and formal, and admitted of technical and formal answer. It seems to have been supplemented at the time of its publication by a statement of more general principles deduced from the nature of the Church itself, such as had been insisted upon by the University of Paris. True Cardinals represent the Universal Church, in electing a Pope, and in all questions that concern the unity of the Church; for the object of the election of a Pope is to embody that unity; all obligations that they imposed in making an election they imposed in the name of the Universal Church, and are bound to see them carried out, other-

[1] In Martene, *Amp. Coll.* vii. 894: 'Quodsi aliquid dixerimus, quod absit, devians a traditionibus ecclesiæ, pro non dicto habeatur, ac ex nunc illud ex omni parte revocamus.'

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wise they incur the guilt of heresy.[1] This additional opinion, which is compelled to fall back upon general principles, still does so with caution, and shows an unwillingness to go further than was necessary to justify technically the summons of a Council under existing circumstances. Its object is to show the existence of a legal obligation on the Cardinals to proceed in the way which they had chosen. The Italian mind was clearly not much interested in the question. It was from France that the conciliar movement came, and it was French intellect which advocated General Councils as a recurrence to primitive antiquity.

Opinions of Peter d'Ailly.

Peter d'Ailly and Jean Gerson codified their opinions for the good of the Pisan fathers, and in their utterances we see the advance of opposition to the principles of the Papal monarchy which the Schism had brought about. D'Ailly was loth to cut himself off entirely from obedience to Benedict, but he set the unity of the Church above personal feeling. The Head of the Church, he writes,[2] is Christ; and in unity with Him, not necessarily with the Pope, does the unity of the Church consist. From Christ its Head the Church has the authority to come together or summon a Council to preserve its unity; for Christ said, 'Where two or three are gathered together in My name, there am I in the midst'; He said not 'in the name of Peter' or 'in the name of the Pope,' but 'in My name.' Moreover, the law of nature prompts every living body to gather together its members and resist its own division or destruction. The primitive Church, as may be seen in the Acts of the Apostles, used this power of assembling Councils; and in the Council of Jerusalem it was not Peter, but James, who presided. With the growth of the Church this power was reasonably limited for the sake of order, so that Councils could not be called without the Pope's authority; but this limitation did not prevent the power from vesting in the Church itself,

[1] Martene, *Amp. Coll.* vii. 892. The last clause of this document refers to the opinion of the Bolognese doctors, and absorbs it. 'Doctores studiorum generalium et præcipue theologi et juristæ debent et tenentur fideles instruere, et in hoc commendandum est studium Bononiense, a quo nuper emanavit determinatio conformis ad hæc præmissa.'

[2] Martene and Durand, *Amp. Coll.* vii. 909, gives these conclusions, propounded on January 1, 1409, in a provincial synod at Aix: on January 10, further ones were set forth by D'Ailly at Tarascon, *l.c.* 916.

which in cases of necessity is bound to use it. It is true that positive laws of the Church are opposed to this, but in the present necessity they must be broadly construed,[1] without affecting the rights of the Pope when there is one canonical Pope universally recognised. To get over the existing difficulty a General Council may be called, not only by the Cardinals, but by any faithful men who have the power. Before this Council the rival Popes are bound to appear, or, better, to send their proctors, and, if necessary, abdicate their position to promote the unity of the Church. If they refuse, the Council can proceed against them as promoters of schism, and go on to a new election, which, however, would not be expedient unless the whole of Christendom were likely to agree to it.

Opinions of Gerson.

These conclusions of D'Ailly were still further strengthened by a tractate of Gerson on the 'Unity of the Church,' which he sent from Paris before he was able personally to join the Council.[2] In this he examines all the objections on the ground of canon law which can be raised against the Council. He asserts that the unity of the Church to one Vicar of Christ need not be procured by a literal observance of the terms or ceremonies of positive law, but by the wider equity of a Council, in which will reside the power of interpreting positive law and adapting it to the great end of promoting unity. The unity of the Church depends on divine law, natural law, canon law, and municipal law; but the last two must in cases of emergency be interpreted by the first two. A case has now arisen in which neither canon law nor municipal law can avail; the Council, therefore, must use divine law and natural law to interpret them, but must do so with discretion and moderation, so as not to injure their stability. Gerson agrees with D'Ailly in urging that, unless the Council be unanimous about proceeding to a new election, such a course be deferred. Moreover, as the search for unity must be undertaken with prayers and penance, since the Schism has its origin in sin, so must unity itself be established by a reformation of the Church in head and members, lest worse befall.

Effects of the Schism on popular ideas of the Papacy.

In these utterances of D'Ailly and Gerson we see the root of all the efforts after reform which formed the ideal of thinking

[1] 'Civiliter intelligi debent.'

[2] Gerson, *Op.* ii. 113–21, begun on January 29, 1409.

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men for the next century and a half. We find ideas of the nature of the Church and the position of the Papacy which are founded on broad principles of historical fact and natural right. These ideas might have been discussed as abstract problems in a few learned circles, but the Schism made them articles of popular belief in every country. One great result of the Schism was that it forced men to enquire into matters which otherwise would never have been investigated. Every Christian was driven to form an opinion on a subject of vital interest to Christendom. The letters of the rival Popes and the statements of their opponents were widely circulated and eagerly discussed. All parties appealed to the people, and felt that their claims must rest finally on popular assent. Abstruse questions, that ordinarily were discussed by scholars in the closet, were now noised abroad on the housetop.

Opposition of Rupert's ambassadors in the fourth session. April 15, 1409.

Schoolmen and legists might discuss; but it was clear that the Pisan Council must owe its power to the universality of its acceptance. It was true that the greater part of the Christian world had declared its allegiance, but some powers still held aloof. The Spanish kingdoms were true to their obedience to Benedict. Ladislas would not give up so useful an instrument as Gregory; the Northern nations stood aloof, as did Sigismund of Hungary; Venice maintained an attitude of cautious neutrality, and Carlo Malatesta, lord of Romagna, still upheld Gregory; the German king Rupert opposed the Council which his rival Wenzel supported. When the Council met for its fourth session, on April 15, it had to face the existence of opposition to its authority. Four ambassadors from Rupert, the German king, attended the Council; but, though all were ecclesiastics, they did not appear in their vestments, nor did they take their seats among the others. As soon as the opening ceremonies were over, one of them, the Bishop of Verdun, rose, and in a lengthy speech propounded twenty-two objections to the Council, all of which were of a narrow and technical character, mostly founded on an acute criticism of the terms of the summons to the Council, and difficulties concerning its dates. The ambassadors were requested to put their objections in writing, which they did the next day; and April 24 was fixed for the next session, when an answer would be given them. But the ambassadors did not

think it worth while to await an answer: on April 21, which was a Sunday, they attended Mass in the cathedral, and heard a sermon preached in refutation of their statements; the same evening they hurriedly left Pisa, after lodging an appeal from the Council to a future council to be convoked by Gregory.

Attempted mediation of Carlo Malatesta.

In the same week there came to Pisa, Carlo Malatesta, lord of Rimini, in whose dominions Gregory had taken shelter. Carlo had already sought to make terms between Gregory and the Council, and had proposed a change of the place of the Council to Bologna, Mantua, or Forlì, to any of which Gregory would promise to come. The Cardinals had answered that, having summoned the Council to Pisa, they were no longer free to change the place. Now Carlo came to Pisa to try and make the peace: the Cardinals suggested that, if Gregory would not abdicate, Carlo should seize his person as a schismatic and heretic. But Carlo was too honourable to entertain the suggestion; he was himself a learned and eloquent man of upright character, and answered that, what he could do lawfully, he was ready to do, but he could use no violence. He returned to Rimini on April 26, and informed Gregory of the state of affairs at Pisa; he added that, unless the Pope's righteousness exceeded the righteousness of the Pharisees, the Church would never have peace. Gregory answered that difficulties beset him on every side—if he abdicated, what was to become of his Cardinals and of King Ladislas? if he did not, great danger beset the Church; his only practical step was to hasten the meeting of the Council which he had summoned.

Fifth and sixth sessions. April 24 and 30, 1409.

At Pisa the fifth session of the Council was held on April 24; an advocate read a long statement, which lasted for three hours, of the charges against the two Popes, and demanded that they should be adjudged heretical and deprived of their office. This document, which was drawn up by the Cardinals, glided gently over the share which they themselves had, by making their elections, in prolonging the Schism. It insisted on the pains which they had taken to induce the Popes to yield, the bodily terror in which they stood of the violent temper of the Popes, and the persistent obstinacy shown in neglecting their advice. The Council appointed commissioners to examine witnesses as to the truth of the statements contained in the thirty-eight charges so preferred

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The same day arrived in Pisa the ambassadors of the King of France, headed by Simon Cramaud, Patriarch of Alexandria, and soon after came the English ambassadors, headed by Robert Hallam, Bishop of Salisbury. The next session, on April 30, seems to have been spent in welcoming them; Cramaud presided, and Hallam addressed the Council, urging them to united action, and assuring them of the goodwill of the English King towards their efforts to restore unity. The Bishop's speech lasted so long that nothing else could be done that day.

Speech of Piero d'Anchorano, seventh session. May 4, 1409.

At the seventh session, May 4, a learned legist of Bologna, Piero d'Anchorano, rose to answer the objections made by Rupert's ambassadors. This he did with much legal skill and acuteness; but his argument was founded on the assumption that, by the Schism, the Church was without a head, and that in the vacancy the Cardinals were the rightful administrators of the Papacy. The legal mind could not advance beyond the basis of the canon law, which only led to interminable questions of dispute. We see, as we look through the objections of Rupert's ambassadors and the answers of D'Anchorano, that the controversy on legal grounds might be protracted endlessly; only by an adoption of the theoretical grounds of D'Ailly and Gerson—that the supreme power vested in the Church itself, which must act according to the laws of God and nature in cases of emergency—could the Council be justified. It is not to be wondered at that the legal mind of the canonists, which saw in the Papal monarchy over the Church the only foundation of law and order, shrank from any assertion that might affect the basis of this authority. Yet without some such assertion the authority of the Council could not be established, the Schism could not be brought to an end.

Eighth session. Union of the two Colleges. May 10, 1409.

The eighth session, on May 10, brought one of these technical difficulties to light. The advocate demanded a decree that the union of the two Colleges had been duly and canonically effected. On this the Bishop of Salisbury remarked that he did not understand how the two Colleges were on the same footing, seeing that Gregory's had formally withdrawn their obedience, while Benedict's had not. It was suggested that a decree be passed, that it was lawful, and also was a duty, for everyone to withdraw from both Popes since the time when it became clear that they had no intention of promoting the unity of the Church by common abdication. To this some of

the Cardinals, especially those of Poictiers and Albano, demurred; but the Council affirmed it by cries of 'Placet.' Then the President—the Patriarch of Alexandria—read out a decree of the Council according to the advocate's demand, declaring approval of the union of the two Colleges, and affirming the Council to be duly assembled as representative of the Universal Church, and to have authority to decide all questions concerning the Schism and the restoration of unity.

Ninth–twelfth sessions. The Popes declared contumacious. May 17–25, 1409.

Before the next session, on May 17, the Cardinals had been won over to agree to the decree brought forward at the last session declaring the withdrawal of allegiance from both Popes: the powers of the commissioners who had been appointed to examine witnesses about the charges against the Popes were also extended, to allow them to get through their work more quickly. In the tenth and eleventh sessions, May 22 and 23, the articles against the two Popes were read, and their truth was attested by the Archbishop of Pisa, who declared each of them to be true and notorious, and mentioned in the case of each the number of witnesses by whose testimony it was established. On the same day Bulls from Benedict were brought to his Cardinals, who at first refused to receive them; but the Cardinal of Milan at length opened them, at the instigation of Simon Cramaud. The Bulls contained an inhibition to proceed to a fresh election, and pronounced excommunication against all who should withdraw from obedience to the Roman See. These Bulls of Benedict, in the existing temper of the Council, were regarded as more convincing than many witnesses of his stubbornness and incapacity. At last, in the twelfth session, on May 25, Gregory and Benedict were declared contumacious, and the charges against them were pronounced notoriously true.

Deposition of the two Popes. June 5, 1409.

On May 28 the doctors of theology who were present at the Council, to the number of 120, gave their opinions that the two Popes were schismatic and heretics, and might be excommunicated and deprived of their rights. At the session next day, Dr. Pierre Plaoul spoke in the name of the University of Paris, which, he said, was not only a representative of the French kingdom, but had scholars from England, Germany, and Italy by whose co-operation its opinions were formed. He declared its view to be, that the Church stood above the two

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claimants of the Papal throne, who were both heretical and schismatic; the same opinion was also held by the Universities of Angers, Toulouse, and Orleans. Similar opinions were also expressed on behalf of the Universities of Bologna and Florence. On June 1 the Archbishop of Pisa read a summary of the articles against the two Popes and the evidence on which they were founded. Finally, on June 5, the Patriarch of Alexandria read the sentence of deposition against the two Popes as schismatics and heretics; all the faithful were absolved from allegiance to them and their censures were declared of no effect. The sentence was read before the open doors to the assembled crowd, and was received with rejoicing. The magistrates proclaimed it with the sound of trumpets and ordered a universal holiday. The bells of the cathedral pealed out joyously, and each church took up the peal, which spread from village to village, so that in four hours' time the news was carried in this way to Florence.[1]

Preparations for new election. June 5–14, 1409.

The Council was not, however, very sure of its own position in spite of its lofty pretensions, if we may judge from the fact that, in the same session, it prohibited any of its members to depart till they had signed the decree of deposition. It seems to have felt that its authority, after all, would depend upon its numerical strength and unanimity. In the same spirit, at the next session, on June 10, letters were sent to the communities and lords of the patriarchate of Aquileia, where Gregory had taken refuge, requiring them to use all diligence to restrain Gregory from holding a council. At the same time the Cardinal of Chalant, who had at length departed from Benedict, was, on the intercession of the Cardinal of Albano, allowed in silence to take his seat in the Council.

The existing Popes had been set aside by the authority of the Council; there remained the important question how a new Pope was to be obtained. The proceedings of the Council really rested on popular assent; a disputed succession to the Papal monarchy had led to the assembling of an ecclesiastical parliament to end the miseries of civil war. The authority of this parliament was necessary to put down the two claimants to the Papal throne; but the ecclesiastical hierarchy was anxious to check any movement towards democracy. The Cardinals

[1] Martene, *Amp. Coll.* vii. 1096.

could elect a Pope, but could not depose one; they were driven to have recourse to a Council, as the only means of getting rid of the two claimants for the Headship of the Church, but they were anxious that the pretensions of the Council should extend no further. Now that the rival Popes were gone, the Cardinals were prepared to revive the old custom, and proceed quietly to the election of a new Pope. With a view of giving assurance to the Council, and preventing any interference in the election to the Papacy, the Cardinals, in the session on June 10, caused a paper to be read by the Archbishop of Pisa, in which they bound themselves, in case any one of them should be elected Pope, not to dissolve the Council until a 'due, reasonable, and sufficient reform of the Church, in head and members, had been brought about.'[1] There were, in fact, different opinions about the procedure in the election of a new Pope. Some were of opinion that, as the Cardinals had been created during the Schism, an election by the Council would be the best way of restoring legitimacy. But this seemed too revolutionary, and as a compromise, the representatives of the University of Paris urged that the Council should authorise the Cardinals to proceed to an election, and should provide that a two-thirds majority of each College should be required. On the necessity of such an authorisation there was a difference of opinion even among the French prelates; nevertheless, at the next session, on June 14, the Patriarch of Alexandria read an authorisation of the Council without submitting the question to a vote. An oath was administered to the city magistrates that they would secure peace and order during the election.

The Council refuses to hear Benedict XIII.'s envoys.

Ambassadors from the King of Aragon, who had just arrived, with difficulty obtained a hearing from the Council, whose interest now lay entirely in the election of a new Pope. They demanded that the envoys from Benedict's Council of Perpignan should be heard by the Council; and received answer that it was now late in the day, and was the eve of the Conclave; commissioners were, however, appointed to confer with them. Next day they appeared before the Cardinals, who were named

[1] Mansi, xxvi. 1149: 'Promittimus quod si quis nostrum in summum Pontificem eligetur, præsens Concilium continuabit nec dissolvet aut dissolvi permittet, quantum in eo erit, usquequo per ipsum cum consilio ejusdem concilii sit facta debita, rationalis et sufficiens reformatio ecclesiæ et status ejus tam in capite quam in membris.'

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commissioners, in the church of S. Martin, but were received with scant courtesy. The Bull of deposition was read to them, and when the Archbishop of Tarragona persisted in calling himself the envoy of Pope Benedict, there was a cry, 'You are an envoy of a heretic and a schismatic.' A tumult arose, and the declaration of the city magistrates that they could not, in accordance with their oath, allow anything which might disturb the Council, rendered it useless for the envoys to stay longer. They asked for a safe-conduct to go and confer with Gregory about peace; but were told by Cardinal Cossa that, if they entered the district where he was legate, he would have them burned, safe-conduct or no. The envoys in fear left the city.[1] In this matter the Council failed to act either with dignity or fairness. It is true that they were wearied with fruitless embassies to the recalcitrant Popes; it is true that this embassy came late, and that the Council had already decided on a course of conduct which no embassy could affect. Still the restoration of unity to the Church could only be brought about by tact, by conciliation, by imposing dignity; it was necessary to prove the two Popes hopelessly in the wrong, and leave them nothing to which they could appeal in their own defence. The ambassador of the King of Aragon informed the Patriarch afterwards that they had come with powers to tender Benedict's resignation, even though Gregory might not resign.[2] A chance of reconciliation had been thrown away by the precipitate action of the Cardinals just at the last.

Election of Peter Philargi, Alexander V. June 26, 1409.

The Cardinals were bent on the new election, and on June 15 they entered into conclave in the Archbishop's palace. There were ten Cardinals of Benedict's obedience, fourteen of Gregory's. There was a controversy whether a term should be set, within which the Cardinals should make an election, or the right of election should pass to the Council; but it was agreed to leave the Cardinals full liberty. Fears were entertained lest

[1] See the *Tractatus pro Defensione Benedicti XIII.* by Boniface Ferrer, who was one of Benedict's ambassadors on this occasion, Martene, *Thesaurus*, ii. 1146. The ambassadors had been imprisoned in Nismes by the mistaken zeal of the French, and only arrived by the escort of the King's ambassadors. Ferrer says that they came 'habentes plenissimam potestatem pro exequendo et complendo effectualiter quidquid esset necessarium pro vera unitate ecclesiæ.'

[2] The Cluniac Prior Robert, in a letter to his abbot (Martene, *Coll.* vii. 1113), gives the report of the Aragonese ambassador to the Patriarch.

the election should be long deferred; but on June 26 it was announced that the unanimous choice of the Cardinals had fallen on Peter Philargi, Cardinal of Milan. Of the proceedings in the Conclave we know nothing for certain. The Cardinals must have felt that they had a difficult task before them: it was necessary to elect someone who would awaken no national jealousy, and who would be capable of dealing energetically with the disturbances in the Papal States. It is said that at first their thoughts turned upon the vigorous Legate of Bologna, Baldassare Cossa.[1] But Cossa was alive to the difficulties which one so deeply concerned in Italian politics would have to face. He besought them to choose Philargi instead of himself, as being a man of learning and of stainless character, a Greek by birth, who would be a compromise between contending nationalities, and who had no relatives whom he could wish to aggrandise at the expense of the Church. He promised that he himself would do all in his power to recover from usurpers the possessions of the Holy See. The Cardinals agreed, and elected Philargi, who was over seventy years of age, and seemed to promise only a short tenure of office.

Philargi's election was hailed with joy. The bells were rung, the new Pope was carried to the cathedral, and there enthroned. He took the name of Alexander V. Everyone was fairly satisfied with his election, as being a judicious compromise which could offend no one. Born of a humble family in Crete, Peter Philargi knew neither father nor mother. As a beggar-boy in the street, he was taken and educated by a friar minor. After his admission into the Franciscan order, he went into Italy, and thence proceeded as a student to the Universities of Oxford and Paris, where he gained great reputation for his theological knowledge.[2] Returning into Lombardy, he won the confidence of Giovanni Visconti, lord of Milan, and was by him made tutor of his sons. Promotion rapidly followed; he was made Bishop of Vicenza, then of Novara, next Archbishop of Milan; Innocent VII. created him Cardinal, and his authority in North Italy had been of great service in arranging the preliminaries of the Council. He was universally popular for his

[1] *Vita Johannis XXIII.*, by Niem, in Meibomius, i. p. 12.
[2] Niem, *De Schism.*, iii. ch. 52.

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affability, kindliness, and munificence; to the benefits of which everyone hastened at once to put in a claim.

Alexander V. and the Council. July 1–August 7.

On July 1 the new Pope preached before the Council, and then the Cardinal of Bologna (Cossa) read in his behalf decrees approving of everything that had been done by the Cardinals from May 1408 up to the beginning of the Council, and also uniting the two Colleges into one, so that there should be no more question who were true Cardinals and who were not.[1] Whichever was the true College, as all had been unanimous in Alexander's election, he was indisputably a true Pope, and could supply all defects either of law or fact. On July 7 was the solemn coronation of the Pope, and on July 10 came ambassadors from Florence and Siena, who delivered speeches in praise of the Pope. The Sienese envoy urged the Pope to hasten his return to Rome, whither the way now lay open to him by the retreat of Ladislas.[2]

In fact, now that a Pope was elected, political motives rapidly began to outweigh ecclesiastical. Cossa, who was the Pope's chief adviser, pined to find a field for his adventurous spirit in the recovery of the States of the Church. Louis of Anjou hastened to Pisa in hopes that this change in the Papacy might bring again into prominence his claims on the Neapolitan crown. It was true that the Cardinals had bound themselves before the election that the Pope should proceed at once to a reform of the Church; but this was a vague undertaking, and it was hard to know how to begin to carry it out: the times were stirring, and the Pope, if he were to establish himself, must show a power of vigorous action.

Dissolution of the Council of Pisa. August 7, 1409.

The session which was to begin the reform of the Church had been fixed for July 15; but the Cardinals wavered, and on the excuse of the Pope's illness the session was put off to the 20th, the 24th, and finally the 27th. Then, as the result of many conferences between the Cardinals and the Council, the Archbishop of Pisa declared, in the Pope's name, that he renounced all pecuniary claims that had been accruing during

[1] This is the view taken by Prior Robert Martene, *Coll.* vii. 1120: 'Quia certum erat quod alterum de duobus collegiis erat non vere, et ignorabatur quod, licet certum esset ipsum verum esse papam, quia electus erat ab omnibus et sic a veris.'

[2] Martene, *l.c.* 1107: 'Quod usque ad Urbem quasi præparatum est iter et aditus securus et pacificus.'

the vacancy up to the day of his election, and gave up reservations of the goods of deceased prelates, and claims to the revenues of vacant benefices. The Cardinals were asked to do the same as regarded their claims, and all, except the Cardinals of Albano and Naples, assented. A series of decrees were passed securing in their benefices and possessions all who adhered to the Council, confirming all their acts, and declaring that a General Council was to be summoned by the Pope or his successor in three years—that is, in the month of April, 1412. In the last session, on August 7, a few trivial decrees were promulgated directing the holding of diocesan and provincial synods and chapters of monks. Plenary absolution, which was to avail even in the hour of death, was given to all who had attended the Council, and to their attendants. Finally the Pope declared his intention of reforming the Church in head and members. Much had already been done, but more remained, which, owing to the departure of prelates and ambassadors, could not now be undertaken. The Pope therefore deferred further reforms to the future Council, which was to be regarded as a continuation of the present one.[1]

Proposals of reform.

There were some members of the Council who wished to make their voice heard on the question of reform. The prelates and proctors of England, France, Germany, Poland, Bohemia, and Provence presented to the Pope a list of grievances to which they called his attention, as deviating from the old laws and customs of the Church.[2] They enumerate translations of bishops against their will, Papal reservations and provisions, destruction of the rights of patronage of bishops and chapters, the exaction of first-fruits and tenths, grants of exemptions from the visitatorial power of bishops, the excessive liberty of appeal to the Pope in cases which have not been heard in the inferior courts. They petition for a remission of debts to the Papal Camera, by which many churches are entirely overwhelmed, and for a simplification of the rules of the Papal Chancery, which are opposed to the common law, and baffle even the learned. They pray that the Pope will not rashly alienate

[1] D'Achery, *Spicilegium*, ii. 853: 'Dominus noster dictam reformationem suspendit et continuat usque ad proxime indictum Concilium, et præsens Concilium prorogat et continuat usque ad illum terminum qui præfixus est ad Concilium jam dictum.'

[2] In Martene, *Collectio*, vii. 1124, with the Pope's answer appended.

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nor mortgage the possessions of the Roman See. To these requests Alexander V. returned fair answers, except in the matter of appeals, about which he only said that he would consider farther. The promise of a future Council enabled the Pope to put aside for the present the question of reform, and the greed of the chief members of the Council to seek their own promotion from a Pope, whose liberality and kindliness were well known, made them indifferent to anything beyond their own interest. The Patriarch of Alexandria, who had been the leader of the Council, was busily engaged in seeking to obtain his own nomination to the archbishopric of Rheims, which had just fallen vacant.

Influence of the Council on Benedict XIII. and Gregory XII.

The members of the Council of Pisa returned home convinced that they had at length given peace to the Church, and had healed the long Schism. They had no doubt that their Pope would prevail, and that the others would sink into oblivion. Benedict XIII. had never been very warmly supported by Aragon: after protesting against the Council of Pisa and its proceedings, he retired to the rocky fortress of Peniscola, on the coast, and there shut himself up for safety. Gregory XII. held a council in opposition to that at Pisa at Cividale, which was but scantily attended. However, it declared the election of Alexander V. to be null and void (August 22), and before its dissolution, Gregory, on September 5, made a magnanimous offer to abdicate provided Benedict and Alexander would do the same; he offered to meet them for this purpose at any place which might be agreed upon by Rupert, Sigismund, and Ladislas. Such an offer might be specious, but was clearly illusory; Rupert, Sigismund, and Ladislas were not at all likely to agree in the choice of a place, and if they did, there was no reason to suppose that Gregory's rivals would abide by their decision. But Gregory himself was in sore straits where to turn when his shadowy council was dissolved. The Patriarch of Aquileia was hostile to him, and he had difficulty in escaping safely from Cividale; at last, in disguise, he managed to make his way to the coast, and take refuge in two galleys of Ladislas, which conveyed him to Gaeta, where he settled for a time.

Defects in the procedure of the Council.

The adherents of Benedict and Gregory might be few, but so long as there were any the object of the Council had failed.

It had met to restore unity to the Church, but did not succeed in doing so. In fact, we are driven to admit that the Council scarcely proceeded with the care or discretion or singleness of purpose which was necessary to enable it to perform the duty which it had undertaken. Its intention from the beginning seems to have been to over-ride, not to conciliate, the contending Popes. In the first session the advocate of the Council was allowed to call them by the derisive names of 'Benefictus' and 'Errorius.' The Council entirely identified itself with the Cardinals, and accepted their procedure as its own. It did not enter into negotiations with the Popes, nor send to invite their presence; but it assumed at once that the summons of the Cardinals was one which the Popes were bound to obey, and declared them contumacious for their refusal. It could hardly have been expected that the Popes would submit themselves at once to the behest of their rebellious Cardinals. If the Council had taken up a position of its own, which could have been supported by all moderate men, it might have exerted such influence on the Popes themselves or their supporters as to have reduced them to submission. Even if this had failed, the Council should have remembered that its avowed object was the restoration of the outward unity of the Church; and it was not possible that the authority of a Council irregularly convoked should meet with such universal acceptance, that its sentence of deposition would be received with entire unanimity by the whole Church. Both the Popes were old; a new election could not be far removed: judicious negotiations might have provided satisfactory measures to be taken when a vacancy occurred: it would have been safer to have ended the Schism surely than to have aimed at ending it speedily.

Moreover the Council did not sit long enough nor discuss matters with sufficient freedom to make its basis sure. The teaching of D'Ailly and Gerson had done much to justify the assembly of a Council as an extraordinary step due to necessity. But the Council proceeded to depose the Popes without making out very clearly its right to do so. D'Anchorano had grounded its right on the assertion that the two Popes, having failed to fulfil their promises to resign for the sake of promoting unity, had become schismatics and heretics. But this view was by no

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means universally accepted, nor did any very definite view prevail. We find next year that the Cardinal of Bari, before going on an embassy to Spain, submitted to Alexander V.'s successor thirty-four objections which might be taken to the proceedings of the Council, and requested that he might be provided beforehand by the University of Bologna with answers wherewith to meet them.[1] The Council of Constance, by accepting Gregory's resignation and negotiating for that of Benedict, tacitly confessed that their deposition by the Council of Pisa could not be regarded as lawful. The Council of Pisa has been regarded as of dubious authority, very greatly, no doubt, owing to its want of success. We cannot wonder that an assembly which dealt so hastily and so precipitately with difficult and dangerous questions should fail to obtain a permanent solution. The theory of the sovereignty of the Church, as against the sovereignty of the Pope, had been so ardently advocated by French theologians, that it was accepted at Pisa as sufficient for all purposes without due explanation or consideration. The Council forgot that the decisions of canonists and theologians are not at once universally accepted. If all Europe had been unanimous in withdrawing from the obedience of the rival Popes, the decision of the Council might have been acted upon as a means of obtaining a new settlement. As it was, there were too many political motives involved in upholding the existing claimants to make it possible that the Council's Pope should receive that universal acceptance which alone could bring the Schism to an end.[2]

[1] Martene, *Thesaurus*, ii. 1534.

[2] See Schwab. *Johannes Gerson*, p. 248, &c.

# CHAPTER VII.

## ALEXANDER V.

## 1409–1410.

CHAP. VII.

The Papal household in the fourteenth century.

It is not often that, amidst the scanty records from which mediæval history has to be laboriously pieced together, we find anything that brings before us the more intimate facts of mediæval life. Some one, however, of the Fathers assembled at Pisa luckily employed his spare time after the election of Alexander V. in drawing out an account of the Papal household—perhaps he thought that Alexander was inexperienced and might err through want of knowledge, as he could not inherit the establishment of a predecessor, but would have to form his own anew.[1] It is worth while to turn from more lofty matters, and consider the composition of a household at this time.

First amongst the officers of the household come the Chamberlains, who are of three classes; some honorary, some prelates, generally four who are intimate with the Pope, read the Hours with him, and serve at Mass; some domestics, generally two, who sleep in his chamber and wait upon him. Of the prelates one has charge of the Pope's private letters and receives his instructions about the answers to be given; another has the care of the Pope's jewels, a third of the wardrobe, a fourth of the medicines and drugs. The prelates discharge the duties of their office without salary except in cases when they are poor. The domestic chamberlains have board for themselves and two servants, and have an underling to sweep the rooms and do the

[1] See the document in Muratori, vol. iii., part 2, p. 810. It is headed 'Avvisamenta pro Regimine et dispositione Officiariorum in Palatio Domini Nostri Papæ,' and at the end, 'Scripta Pisis post novam Creationem felicis recordationis *Alexandri Papæ Quint.*, 1409, IV. Junii.' It seems most probably to have been written by one of Benedict's household.

dirty work. Besides these, two Door-keepers have charge of the Audience Chamber, where they generally sleep.

Next in importance is the Controller of the Household, who receives the Pope's orders about his meals and entertainments, issues invitations, and orders the service of the banquet. Every night he receives the keys of the palace when the gates are shut, and lays them on the table at the Pope's supper hour. Every night also he receives and examines the accounts of all subordinate officials, which, after receiving his signature, are presented weekly at the Treasury. He is generally responsible for the order and decorum of the household, and has under him a clerk and one or two servants. The Pope's personal attendants are Squires of Honour, generally eight or ten in number, who receive pay or allowances, and frequently hold some other office. For each article consumed in the household there is a separate department. Two ecclesiastics, each with two servants under him, hold office over the Bakery, and provide bread and fruit, have the care of the table linen, knives, forks, and salt-cellars, and have the duty of laying the table. In like manner two ecclesiastics, each with two inferiors, discharge the office of Butler, provide the wines, keep the cellar books, and take charge of the drinking-vessels. One ecclesiastic is enough to have charge over the water, and the number of his subordinates varies according to the difficulties of obtaining it; his office extends to the care of wells and their cleansing. Another ecclesiastic, with two inferiors, has charge of the candles and candlesticks and all that concerns the lighting of the palace. Another officer has care of the beds and tapestries; he has to arrange seats at consistories, and see to the proper covering of the Pope's chair at church and elsewhere. The Keeper of the Plate has the arduous duty of seeing that the plates and dishes are kept clean and are not stolen; every day after dinner the gates of the palace are kept closed until he has counted the dishes and has certified that all are there. The Master of the Kitchen supervises all the cooking arrangements; the Steward does the marketing and hands over the produce to the Keeper of the Larder, who also receives all presents of game and such like that are made to the Pope. The Master of the Hall arranges the tables, places the guests in order, and sees that they are properly served.

Besides these officers the Papal household contains a Master of the Works to see after the repairs of the palace; a Confessor whose duty it is to regulate the services in the chapel and to vest the Pope; a Master of the Palace, generally a Dominican Friar, who lectures on Theology and proposes questions at the Pope's bidding; an Almoner, and a Choir-master for the chapel services. Cooks, door-keepers, physicians, registrars, messengers, and grooms make up the remainder of the Pope's retinue. We do not find in these details any trace of undue luxury or extravagance. Many of these officials were without salaries; and although the cost of the household must have been considerable, yet it was not larger than any noble of the period would have felt requisite.

Attack on Rome in Alexander's behalf. September–December, 1409.

The regulation of his household may have employed Alexander V. for some little time at Pisa; but he was soon reminded of his political duties by the arrival of Louis of Anjou, whose claims on Naples he at once sanctioned. Cossa saw that the vital matter for the new Pope was the possession of the city of Rome, which was also the great question of Italian politics. The overweening power of Ladislas awoke universal alarm, and the political feebleness of Gregory XII. had been the chief reason why Italy had so readily abandoned him. The cause of the Council's Pope meant opposition to Neapolitan domination, and a strong party gathered round Alexander V. Cossa strengthened his league with Florence and Siena by the admission of Louis of Anjou, and the confederates proposed to march at once against Ladislas, who had retired from Cortona to Naples, leaving Paolo Orsini to guard the places which he had seized. In September the allied army under the command of the Florentine general, Malatesta dei Malatesti, marched towards Rome. The prophecy of the Florentine ambassador to Ladislas that they would overcome him with his own troops proved true. Paolo Orsini deserted from Ladislas, and his defection opened the road into the States of the Church. Orvieto, Montifiascone, Viterbo, and other places opened their gates, and the allied army appeared before Rome on October 1. But Ladislas had taken measures to keep down the Romans; many citizens opposed to his interests had been exiled, and the Neapolitan faction was strong in the city. The allies gained possession of the Vatican, and the Castle of S. Angelo

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hoisted the flag of Alexander V.; but Rome itself, where the Count of Troja was in command, offered a vigorous resistance. On October 10, the allies found themselves forced to quit the Leonine city and take up their position at Monte Rotondo. Louis of Anjou and Cossa returned to Pisa leaving the siege in the hands of Malatesta. After a conference with the Pope Louis went off hurriedly to Provence to raise more money. The fortune of Ladislas was still in the ascendant, and if he had boldly marched to Rome with reinforcements he might have maintained his hold upon the city.

Rome captured from Ladislas. January 1, 1410.

On December 28, Malatesta advanced with a portion of his army to S. Lorenzo outside the walls; his men advanced to the gate calling to the people, 'Men of Rome, how is it that you do not cry, "The Church and the People"'?[1] At the same time Paolo Orsini advanced again into the Leonine city. Attacked on both sides the Count of Troja determined to cut off his assailants when thus divided. On December 29, he fell upon Paolo Orsini, but was defeated at the Porta Septimiana. Malatesta had been plotting with a party inside the walls in favour of Alexander; at the first failure of the Neapolitans they rose against them with cries of 'Viva lo Popolo e la Chiesa.' On January 1, 1410, Paolo Orsini entered the city by the Ponte dei Judei, and was hailed by the people, who were glad to free themselves from the Neapolitan rule, and asserted their liberties by electing their own magistrates. On January 5, the Capitol also surrendered; but the strong towers by the gates still held out for Ladislas, and were only taken after a regular siege. The tower by the Porta Maggiore fell on February 15; and the capture of the Ponte Molle, on May 1, destroyed the last remnant of the Neapolitan domination.

Cossa supreme over the affairs of the Church.

Meanwhile Alexander V. stayed for some time at Pisa, where, on November 1, 1409, he issued a summons to Ladislas to appear and answer all the charges made against him of faithlessness to his duty as a vassal of the Church. He was driven to leave Pisa by the outbreak of a pestilence, and retired to Prato, thence to Pistoia. On the news of the capture of Rome the Florentines

[1] *Diarium Antonii Petri*, in Muratori, xxiv. 1012: 'Dicentes, O Romani como non dicete, Viva la Chiesa e lo Popolo?' The writer was in Rome at the time, and describes minutely all the operations of this siege.

at once sent an embassy to the Pope, begging him to hasten to Rome, and so assure the wavering allegiance of the neighbouring cities in the States of the Church. The Sienese also offered their city as a residence for the Pope on his way.[1] But Alexander V. was entirely in the hands of Cossa, who ruled Pope and Cardinals alike. The Florentines and Sienese seem to have been afraid of the growing power of Cossa, and wished to see the Pope emancipated from his hands. But their efforts were useless. Alexander answered that he would go to Rome when things were more settled; meanwhile, Cossa would go there in his stead, and he himself would reside at Bologna for the present. Cossa succeeded in making himself the most important man in Rome, and kept the Pope in his power by settling the Curia at Bologna, whither Alexander went on January 12, 1410, and took up his abode in the Palace of the Anziani. On February 12, came an embassy from the Romans, headed by the Count of Tagliacozzo, bringing the keys and banner of the city to the Pope, and praying him to take up his residence in Rome. The Florentines added their entreaties to those of the Romans; but the influence of Cossa, and perhaps the Pope's own sense of growing physical weakness, kept him still at Bologna. He received from the Roman envoys the symbols of his dominion over Rome, and confirmed the liberties of the city in a Charter granted on March 1. But he was never to take possession of Rome itself; at the end of April he sickened, and it was clear that his end drew near. On his death-bed he told the Cardinals the touching story of the poverty of his early life, and laid before them the results of his mature wisdom. It was the usual lesson which life always teaches the old, and which the young never learn save by experience—the lesson, 'Seek peace and ensue it.'[1] He addressed his Cardinals on the text, 'Peace I leave with you, my peace I give unto you;' he declared his belief in the canonicity of the Council of Pisa, and in his own position as Pope; he besought them by pacific measures to bring about the unity of the Church. The Cardinals wept at the touching

Death of Alexander V. May 3 1410.

[1] Piero Minerbetti, in Tartini, ii. 619.

[2] Theod. a Niem, *Schism*, iii. 52: 'Ipsemet tunc in agone seu in ultimis constitutus coram suis familiaribus faciendo pulcrum sermonem dicebat nunquam novit patrem vel matrem,' &c. See *Vita Alexandri V.*, in Mur., iii. part 2, 842.

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words of the dying Pope, but their conduct shows that they did not look forward to gain peace save by the sword. On May 3, Alexander V. died, and was buried in the church of S. Francesco at Bologna, the church of the Order to which he owed so much, and which he loved so well.

Alexander V. and the Friars.

The one thing which Alexander V. did in the matters of the Church was to issue a Bull in favour of the Friars, who had hailed with joy his elevation to the Papacy, and lost no time in besieging him with their requests. The Mendicant Orders had been steadily growing in importance and power since the days of Francis and Dominic. The Papacy, grateful for their aid, had constantly increased their privileges at the expense of the old machinery of the ecclesiastical system. The Friars, supported by the Papal authority, infringed the rights of parish priests, and were exempt from any Episcopal supervision. They preached, heard confessions, administered the sacraments, performed funerals wherever they chose, and threatened entirely to supersede the old parochial system. Naturally men preferred to confess to a wandering Friar whom they had never seen before and hoped never to see again, rather than to their parish priest whose rebukes and admonitions might follow them at times when the spirit of contrition was not so strong within them. It was natural that bishops and clergy should fight for their very existence against the usurping Friars. A truce was made by Boniface VIII. in 1300, on the conditions that the Friars were not to preach in parish churches without the consent of the parish priest, that bishops were to have a veto over the individual Friars who were to hear confessions within their diocese, and that the Friars were to hand over to the parish church a quarter of all the funeral and other dues and offerings which came to them from the district. The Universities also saw themselves invaded by the Friars, who by their learning and energy rose to eminence, possessed themselves of theological chairs, and promulgated their own doctrines. In the University of Paris, the conflict against the Mendicants was vigorously carried on in the middle of the thirteenth century by Guillaume de Saint Amour, who not only protested against their exceptional privileges, but attacked their rule of life. An able-bodied man, he asserted, who can work for his livelihood commits nothing less than sacrilege if he lives on the alms of the poor;

for S. Paul says, 'if a man will not work, neither let him eat.' If it be urged that it is a counsel of perfection to live like Christ, it ought to be remembered that Christ's example teaches us to do good works, not to beg; if any man wishes to be perfect, let him work or enter a monastery. Thomas Aquinas and Bonaventura took up the defence of the Mendicants, and, with the help of the Papacy, the Friars maintained their position, though they were regarded with aversion and suspicion by the University. In 1321, a doctor of the Sorbonne, Jean de Poilly, was summoned before Pope John XXII. for having taught that those who confessed to Friars were bound to confess the same sins again to their own parish priest, and no Pope had the power to absolve them from this duty. His opinions were condemned, and he was compelled to retract them. In Oxford the controversy was renewed later by Richard Fitz Ralph, Archbishop of Armagh, who went to Avignon to answer for his opinions to Innocent IV., but no judgment was given against him. In both Universities the opposition to the Friars was manfully maintained in spite of the Papal censures.

In January 1409, the Sorbonne was strong enough to carry the war into the enemies' quarters, and a Franciscan, Jean de Gorel, was compelled to retract his assertion that Friars, as being of the institution of the primitive Church, had a more essential right to preach and hear confessions than had parish priests, who were of a later origin. On the accession of Alexander V. the Mendicants judged that their hour of triumph was come. They hastened to procure from him a Bull, 'Regnans in Ecclesia,' dated from Pisa, October 12, 1409, in which the Pope condemned the chief propositions of the Doctors of the University, and affirmed most emphatically the condemnation issued by John XXII.[1] The Friars themselves seem to have been afraid to use this Bull when they had obtained it. Rumours of its existence reached Paris, and messengers were sent to enquire if rumour spoke truly; the Cardinals denied that it had been issued with their counsel or consent, but the messengers saw the Bull and its leaden seal. The University at once proceeded to vigorous measures; they expelled all the Mendicants, and prohibited them from preaching in Paris till they had

[1] In Bulæus, vi. 196. See also *Chron. de S. Denys*, book xxx. ch. 19.

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produced the original Bull and had renounced it. Gerson raised his powerful voice against it, and the Government entirely sided with the University. The Dominicans and the Carmelites judged submission to be the wisest course. On March 1, 1410, the University went in solemn procession to the Church of S. Martin des Champs, where one of the Dominicans preached a sermon in which he declared that the Bull had been obtained without the consent of his Order, nor did they approve of it, but were content with their former privileges. The Franciscans refused to submit, and proclamation was made in front of their doors by a herald, prohibiting the clergy in the king's name, from allowing them to preach, hear confessions, or administer the sacraments. Alexander's successor found it wise to revoke the Bull, and put an end to this fruitless conflict with the University.

Character of Alexander V.

From his conduct in this matter we may judge the character of Alexander V. Owing everything to his Order, he was ready to befriend it in any way, and at once complied with the requests which its advocates preferred, without any consideration of their wisdom or expediency. His weakness was that he knew too little of the world, and was too ready to gain praise by unreasoning liberality and munificence. He used to say of himself that he had been rich as a Bishop, poor as a Cardinal, but as Pope a beggar. He was generally under the rule of the Cardinals; only in granting this Bull to his beloved Order did he venture to act without their advice, and then he foolishly endeavoured to act secretly, because he had not the courage to face and overcome opposition. In his brief pontificate he had not time to show what he might have become. Some were won by his simple character to regard him as a saint. Others were misled, by the extravagance, which his known liberality encouraged in his household, to mistake him for a luxurious sybarite.[1] It would

[1] See *And. Billii Hist.*, in Mur., xix. p. 41: 'Dimidium temporis conviviis trahebatur; levitatis id modo notatum, plus quadringenti verniculæ uno vestitu insignes in domo versabantur.' This luxury seems rather doubtful when we compare the accounts given by Niem, the lives in Muratori, iii. part 2, and the mentions, which are all laudatory, made by other Italian chroniclers. The journey from Pistoia to Bologna was not one which an over-luxurious man of seventy would willingly have taken in winter; and Niem, *Vita Johannis XXIII.* (Meibomius, i. p. 13) says that Alexander V. was maintained in Bologna by Cossa—'providit manualiter de expensis, satis tamen tenuiter et remisse'—which hardly agrees with Biglia's account of extravagance.

seem that both of these judgments were equally removed from the truth. Alexander V., like many men who rise to eminence from a humble origin, owed his good fortune to his negative qualities, and was conscious to himself that he enjoyed a reputation beyond his deserts. Cossa rightly judged that, when elevated to the Papacy, Philargi would of his own nature cling to one whose strength of character he recognised, and would be the best of tools, for he would wish to submit to a stronger mind as a means of concealing his own incompetence. So entirely dependent on Cossa did he show himself by coming to Bologna, that, on his death, the story rapidly spread that he had been poisoned by Cossa, who wished to have the new election in a place where his power was supreme.

## CHAPTER VIII.

### JOHN XXIII.

### 1410—1414.

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Election of Baldassare Cossa, John XXIII. May 17, 1410.

ALEXANDER V. died on May 3; and before the eighteen Cardinals who were in Bologna entered the Conclave, their minds were made up as to his successor. Louis of Anjou, who was preparing an expedition against Ladislas, hoped that the energy of Cossa, which he had experienced in the previous year, would secure his success against Naples. He sent pressing admonitions to the French Cardinals to procure Cossa's election, which indeed the political aspect of affairs seemed to render almost necessary. It was to no purpose that Carlo Malatesta sent envoys to beg the Cardinals to defer their election in the hope of procuring the peace of the Church. Cossa answered that Gregory was entirely in the hands of Ladislas, and nothing could be expected from him; that the Cardinals could not abandon the cause of Louis of Anjou after encouraging him to proceed so far; and that in the present condition of affairs in Rome a Pope was absolutely necessary to keep the city from again falling into the hands of Ladislas; moreover the Cardinals themselves, if they did not elect a Pope, would be without the necessaries of life and the Curia would be dissolved. The envoys tried to alarm Cossa with the fear of a rival for the Papacy. Cossa replied that he knew not how the votes might go; for his own part, though he was not a man of great knowledge, he had done for the Church more than the rest: if a friend were elected, he would be satisfied; if a foe, it might be better for his own soul.[1] Carlo's envoys were worsted in the encounter with Cossa, and could do no more than beseech the Cardinals, on the eve of the Conclave, to bind

[1] These interesting details are given in the papers of the envoys in Martene, *Amp. Coll.* viii. 162, &c.

him who might be elected to abdicate if his rivals abdicated, or to unite with them in summoning a General Council. No heed was paid to Malatesta's entreaties: the place, the political situation, made Cossa for the time omnipotent. The Cardinals entered the Conclave on the evening of May 14, and Cossa's election was announced on the 17th. He was enthroned in state in the Church of S. Petronio on May 25, and took the title of John XXIII.

The Cardinals cannot have hid from themselves that the election of Cossa was not likely to be approved on any but political grounds. No one could look upon Cossa as an ecclesiastic, or as having any real interest in the spiritual affairs of the Church. He was a man of vigour, possessing all the qualities of a successful condottiere general. He had kept down the city of Bologna, had extended his power over neighbouring States, had protected the Council of Pisa from Ladislas, and was the firm ally of Louis of Anjou. But he was more at home in a camp than in a church;[1] his private life exceeded even the bounds of military license;[2] it was a grotesque and blasphemous incongruity to look upon such a man as the Vicar of Christ.[3]

Revolt of Genoa from France. September 1409.

John XXIII. soon found that his lofty position was a hindrance rather than a help; his character was more fitted for decisive and energetic action as occasion offered than for pursuing with astuteness a careful and deliberate policy. From the first, things went contrary to him and his ally Louis of Anjou. The loss of Genoa to the French threw a great hindrance in the way of Louis. Genoa since 1396 had submitted to its French governor, Jean le Maingre, Marshal Boucicaut, but gradually grew more and more discontented with his rule. As taxes weighed heavily commerce did not prosper; and the Genoese felt themselves involved in a policy which was alien to their old traditions, and which might be in the interests of Boucicaut or of France, but was not in the interests of Genoa. Boucicaut's interference in the affairs of Milan

[1] *And. Billii Hist.*, Mur., xix. 42: 'Plus delectabant hominem scuta et cristæ quam pallia et apices.'

[2] Niem, in Meibomius, i. 6, says: 'Publice dicebatur Bononiæ anno primo pontificatus quod ipse ducentas maritatas, viduas et virgines, ac etiam quam plures moniales illic corruperat.'

[3] Leon. Aret., Mur., xviii. 927, says significantly: 'Vir in temporalibus quidem magnus, in spiritualibus nullus omnino atque ineptus.'

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especially angered the Genoese, till the Marquis of Montferrat in Boucicaut's absence marched to Genoa, and was welcomed by the citizens, who, on September 6, threw off the French rule, declared themselves free, and chose the Marquis of Montferrat to be captain of their Republic with all the powers of the old Doges.[1] When Genoa had thus thrown off the French yoke, it warmly espoused the cause of Ladislas against Louis, and from its commanding position at sea rendered difficult to Louis the transport of soldiers.

Louis of Anjou at Bologna. June, 1410.

As was to be expected, John XXIII. hastened to identify his cause with that of Louis. On May 25, the day on which were dated the encyclical letters announcing his election, he issued also letters commending the cause of Louis to all archbishops, princes, and magistrates, exhorting them to receive him with all respect and lend him all the aid that he required. The Pope's admonition came too late so far as the Genoese were concerned; for on May 16, they had intercepted and destroyed five of the galleys in which Louis was bringing his forces for a new expedition. Louis with the rest of his squadron landed at Pisa, whence he went to Bologna, which he entered somewhat crestfallen on June 6.[2] Still his army was powerful, and great things were to be expected from the Pope's help. But John XXIII. soon found that he was less powerful as Pope than he had been as Legate. No sooner did the cities which he had subdued feel that the hand of their master was slackened by his elevation to a higher office, than they hastened to throw off the yoke to which they had unwillingly submitted. On June 12, came the news that Giorgio degli Ordelaffi had recovered Forlì, and on June 18, that Faenza had thrown off the Papal rule and had taken Giovanni dei Manfreddi for its lord. These revolts were clearly due to the influence of Carlo Malatesta, who, after protesting against John's election, declared against him and sided with Ladislas. John felt that for the present he was over-mastered; he saw that he could not trust his mercenaries, nor, when revolt was so near, did he venture to leave Bologna, which he knew that he only held by force. On June

[1] See G. Stella, *Annales Genuenses*, in Muratori, xvii. 1220, &c.

[2] 'Venne per Stra' San Stefano molto miseramente,' says the writer of *Cronica di Bologna*, Mur., xviii. 599.

23, Louis set out for Rome without his friend and adviser, and the Pope, with rage in his heart, was compelled, sorely against his will, to stay behind.

John XXIII. and Carlo Malatesta.

John's first endeavour was to win over Carlo Malatesta to his side, promising that if he would recognise him as Pope he would exert all his influence on his behalf. Malatesta replied that, though he had esteemed him as Legate of Bologna, he could not in conscience recognise him as Pope, for which post he was unfit; he besought him to join with Gregory in a renunciation of the Papacy; in that case he promised to help him with all his power. John endeavoured to protract the negotiations; but in Carlo Malatesta he had to deal with as strong a character as his own, and a keener wit. In spite of his efforts he could gain nothing.

Death of Rupert and ecclesiastical difficulties in Germany. May 18, 1410.

In Germany also John had to watch events eagerly, and struggle to hold his own against his rival Gregory. The schism in the Papacy had been reproduced in the Empire; and Rupert, who owed his position to the help of Boniface IX., refused to acknowledge the Conciliar Pope. This made Rupert's enemies more eager in the support of Alexander V., and a civil war seemed imminent in Germany when Rupert suddenly died on May 18, 1410. Wenzel's party was now anxious that no new election should be made, and that Wenzel should be universally recognised as King of the Romans. His opponents, though determined to proceed to a new election, were divided between the rival Popes. Rupert's son, the Elector Palatine, and the Archbishop of Trier were in favour of Gregory XII.; the Archbishop of Mainz was on the side of John XXIII. Four only out of the seven electors met at Frankfurt on September 1, for a new election. Wenzel, who as King of Bohemia was an elector, of course kept aloof, as did also Rudolf of Saxony: it was doubtful who had the right to vote as Elector of Brandenburg, which Sigismund, King of Hungary, had mortgaged to his cousin Jobst, Markgraf of Moravia. It soon became clear that the four electors differed too deeply on the ecclesiastical question to agree in the choice of a new king. On September 12, the Archbishops of Mainz and Cöln made preparations for departure. But the Archbishop of Trier and the Elector Palatine proceeded to an election; they recognised Sigismund as Elector of Brandenburg, and accepted

Three Kings of the Romans—Wenzel, Sigismund, and Jobst. October 1410.

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his representative Frederick, Burggraf of Nürnberg, as his proxy. Though the Archbishop of Mainz laid the city under an interdict, and closed all the churches against them, they went through the accustomed ceremonies in the churchyard of the Cathedral, and, on September 20, announced that they had elected Sigismund King of the Romans.[1] At this elevation of his younger brother, Wenzel felt himself doubly aggrieved, and Jobst of Moravia wished to assert his claims to Brandenburg. They hastened to send representatives to support the recalcitrant Archbishops of Mainz and Cöln, who thereon proceeded, on October 1, to elect Jobst of Moravia, reserving to Wenzel, as the price of his submission, the title, though not the authority, of King of the Romans.

Final success of Sigismund. July, 1411.

There were now three claimants to the Empire as there were three claimants to the Papacy. It was said that three kings were again come to adore Christ, but they were not like the three wise men of old.[2] John XXIII. was anxious to secure Sigismund to his side; for Sigismund had remained neutral towards the Council of Pisa, and since then had shown signs of a reconciliation with Gregory XII. John issued Bulls declaring his affection for Sigismund; but still Sigismund's attitude remained ambiguous, till the death of Jobst on January 8, 1411, made his position more sure. There was now no one to stand in his way if he could manage to reconcile his personal differences with the electors who had opposed him. The besotted Wenzel was won over by hopes of obtaining for himself the Imperial Crown, and by Sigismund's promise to content himself during Wenzel's lifetime with the title of King of the Romans. The Archbishop of Mainz made his own terms with Sigismund; among them was a stipulation for the recognition of John XXIII. Finally on July 21, 1411, Sigismund was unanimously elected

[1] Hence went forth a doggerel rhyme about Sigismund's election—

'Zu Frankfurt hinterm Chor
Haben gewelt einen König ein Chind und ein Thor.'

The Elector Palatine is called a child from his youth, and the Archbishop of Trier a fool from his age. See *Andrea Ratisbonensis Chronicum*, in Eccard, i. 2144.

[2] 'De his tribus regibus, scilicet Sigismondo, Jodoco et Wenzeslao habentur versus:

Adorant Christum tres Reges jam Romanorum,
Non sunt Tharsenses, nec Arabes, nec Sabinenses.'

*And. Ratis.*, ut supra, 2145.

King of the Romans. Thenceforth the doubtful allegiance of Germany was at an end, and the recognition of John XXIII. as rightful Pope was at once carried out.

John XXIII. takes up his abode in Rome. April, 1411.

In Naples John's cause was not so successful. The expedition of Louis in 1410 came to nothing. He entered Rome and displayed himself to the citizens, who always liked to have a distinguished guest within their walls; but he had no money for his soldiers and could not keep together the different elements of which his army was composed. After waiting helpless in Rome till the end of the year, he set out for Bologna to beg the Pope to come to Rome and help him—a request which was echoed by the Roman people. John by this time saw that Carlo Malatesta could only be reduced to obedience if he were deprived of his ally Ladislas. He determined to leave Bologna to its fate, and help Louis to prosecute the war against Ladislas with vigour. On March 31, 1411, John left Bologna and moved towards Rome, accompanied by his Cardinals and attended by a brilliant escort of French and Italian nobles. On April 11, he reached San Pancrazio, and, on April 12, entered the city amid the acclamations of the people. On April 14, the city magistrates, to the number of forty-six, appeared before him with lighted torches in their hands and did him obeisance.

Defeat of Ladislas at Rocca Secca. May, 1411.

On April 23, the banners of the Pope, King Louis, and Paolo Orsini were blessed with great pomp and ceremony, and, on April 28, John had the proud satisfaction of seeing the strongest force that Italy could raise set forth to drive Ladislas from the throne of Naples. The chief leaders of condottieri had all been won over by John to the side of Louis; and the Neapolitans heard with terror that the four best generals of the world[1]—Braccio da Montone, Sforza da Cotignola, Paolo Orsini, and Gentile da Monterano—were marching against them. Ladislas advanced to Rocca Secca and took up a strong position on the heights above the little river Melfa. Louis pitched his camp opposite, and for eight days the two armies faced one another. At last, on the evening of May 19, the troops of Louis crossed the river in the evening and fell upon the enemy unexpectedly as they were at supper. The rout was complete; many of the chiefs were taken prisoners in their tents; Ladislas

[1] *Giornali Napolitani*, Mur., xxi. 1073: 'I quattri capitanei migliori del mondo.'

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with difficulty escaped to San Germano; all his possessions fell into the enemies' hands.

Premature triumph of John XXIII.

John XXIII. received with joy the news of this victory, which was soon followed by trophies from the battle-field—the standards of Ladislas and Gregory; he caused them to be hung from the Campanile of S. Peter in derision. Nor was this enough to gratify his pride; on May 25, he rode with his Cardinals, followed by all the clergy and people, to the Church of San Giovanni in Laterano. Four archbishops and bishops bore the holy relic of the head of S. John Baptist; and with strange incongruity the procession was brought up by the banners of Ladislas and Gregory trailed in the dust. The wiser members of the Curia looked with disgust on this premature display of insolent triumph, which was neither judicious nor befitting the Head of the Church. Their feeling was well founded, for it soon appeared that though Louis' victory was complete, he did not know how to use it. After the battle his generals did not agree; Sforza urged the immediate pursuit of Ladislas; Orsini exclaimed that enough had been done for one day; the soldiers meanwhile betook themselves to plunder the camp. Delay was fatal, as the prisoners were enabled to negotiate their ransoms and even buy back their arms from the victors. Ladislas himself said that on the day of the battle the enemy were masters both of his person and of his kingdom; the next day, though they had missed him, they might have seized his kingdom; the third day they could neither take him nor his kingdom. In fact, Ladislas bought back his army from the needy soldiers of Louis, and again manned the defiles which led towards Naples. In the camp of Louis there were contentions between the generals, want of food, sickness, and clamours for pay. On July 12, Louis returned with his victorious army to Rome, having gained nothing. Men began to see that his cause was hopeless; and when, on August 3, he took ship on the Ripa Grande to return to Provence, none of the Roman nobles, who had been so obsequious to him on his arrival, thought it worth while to escort him on his departure.[1]

[1] *Diarium Antonii Petri* (Mur., xxiv. 1017): 'Sciatis quod nullus ex Baronibus Urbis sociavit eum in recessu: et de hoc ego Antonius Petri fui valde miratus, quia quando intravit Urbem, omnes Barones fuerunt cum eo in societatem.'

They were right in their judgment: Louis died in 1417, without making any further attempts on the Neapolitan kingdom.

Dissolution of the Pope's league against Ladislas. 1411–1412.

John XXIII. had been entirely disappointed of his hopes when they seemed on the very verge of attainment. Moreover, by moving to Rome to help Ladislas, he lost Bologna. Scarcely had he left it when, on May 12, the cry was raised 'Viva il popolo e le Arti;' the Cardinal of Naples, who had been left as legate, was driven out, the people elected their own magistrates, set up again their old republican form of government, and vigorously repulsed Carlo Malatesta, who had fomented the rising in hopes of gaining possession of the city.[1] Before this also Ladislas had managed to detach Florence and Siena from their league with the Pope, by selling to the Florentines Cortona, and saving their honour by the easy promise that he would not occupy Rome nor any other place in the direction of Tuscany. John XXIII. found himself left alone to face Ladislas, who was smarting under the sense of his late defeat. Of course he excommunicated him, deprived him of his kingdom and proclaimed a crusade against him; but these did Ladislas little harm. John's only hope was in the fidelity of the condottieri generals who were in his pay, and he soon found how slender were his grounds for trusting them. In May 1412 Sforza, who was carrying on the war in Naples, deserted the side of the Pope and took service with Ladislas.

Italian condottieri. Sir John Hawkwood.

From this time forward Sforza becomes one of the chief figures in Italian history. We have seen how Alberigo da Barbiano was the first to form a soldier band of his countrymen to take the place of the lawless companies of foreign mercenaries who had, since the decay of the citizen militia, made Italy their prey. The last and greatest of the foreign captains was an Englishman—Sir John Hawkwood, whose adventurous career was closed at Florence in 1394. The Florentines paid due honour to the great general, whose equestrian portrait, painted by the hand of Paolo Uccelli, one of the masterpieces of early realism in art, still adorns the south wall of the Florentine Cathedral.[2] Though a skilful

[1] See his protest against John, sent to Bologna April 16, in Martene, *Amp. Coll.* viii. 1206.

[2] The inscription runs: 'Johannes Acutus, eques Britannicus, dux ætatis

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soldier, Hawkwood, as might be expected, was merely an adventurer whose trade was plunder. His tenor of mind is well illustrated by a tale of the old Florentine story-teller, Franco Sacchetti. One day, when Hawkwood was at his castle of Montecchio, two friars approached him with the usual greeting, 'God give you peace.' 'God take away your alms,' was Hawkwood's reply. The astonished friars asked why he answered thus. 'Why spake you as you did?' was the question: 'Sire, we thought that we said well.' 'How thought you that you said well,' exclaimed Hawkwood, 'when you wished that God might make me die of hunger? Know you not that I live on war and that peace would undo me? I live on war as you live on alms, and so I returned your greeting in like sort as you gave it.' Sacchetti adds that Hawkwood knew well how to cause that there should be no peace in Italy in his days. With the formation of native companies, warfare became more humane and pillage less terrible. The Italian soldiers were connected with their leaders by other ties than those simply of pillage. They were gradually brought under more systematic discipline, and became trained armies rather than troops of plundering adventurers. Alberigo da Barbiano did much to bring about this result, and the two great generals of the generation that followed his death in 1409 had both been trained under his command.[1]

Early career of the elder Sforza.

The early life of Sforza is characteristic both of the man and of the times. Muzio Attendolo was born in Cotignola, a little town in the Romagna, in 1369. He was of a peasant stock, and worked in the fields, when one day there passed a band of soldiers and enquired the way. Struck by his stalwart aspect, one of them asked why he did not follow their example instead of pursuing his dreary toil. The peasant waited before replying, then, seeking for an augury, threw his hoe into a tree, resolving that if it fell to the ground he would take it again, if it remained in the tree he would follow the

suæ cautissimus ac rei militaris peritissimus.' The Italians called him Augut or Aguto; as the Italians reproduced the name phonetically, we see that Hawkwood's soldiers pronounced his name as would a cockney at the present day.

[1] On the subject of the Italian military system see Ricotti, *Storia delle Compagnie di Ventura in Italia* (Turin, 1847), and vol. 15 of the *Archivio Storico Italiano* (first series).

soldiers. The hoe stuck, and the peasant joined the army in the humble position of follower to one of the soldiers. After four years of camp life he returned to his native place, and there raised a number of men like-minded with himself, with whom he joined the company of Alberigo da Barbiano. In the lawless life of a camp he was the most lawless, and one day a quarrel in which he was engaged about the division of plunder attracted the attention of Alberigo, who interposed to settle the dispute. But the fiery peasant did not lay aside his threatening attitude even at his captain's presence. 'You look,' said Alberigo, 'as if you would use violence (*sforzare*) to me also. Have then the name of violent.' From this time the peasant was known among his comrades as Sforza, a name which was to descend to a princely house. He was a man rather above the ordinary height, with broad shoulders, though his figure narrowed at the flanks. His swarthy face had a bluish hue, which, with his deep sunk restless eyes, gave him rather a sinister aspect.[1]

Sforza and John XXIII. 1412.

For some time Sforza served under Alberigo da Barbiano; then he led a band of his own, and fought for Florence in its war against Pisa. John XXIII. took him into his pay for the war against Naples, and conferred on him in 1411 the lordship of his native town of Cotignola. But Sforza quarrelled with Paolo Orsini, who he saw was likely to get more from the Pope than himself. He listened to the overtures of Ladislas, and when, in the beginning of May 1412, John summoned his generals to Rome, that he might consult with them about future operations, Sforza abruptly retired from the city, and took up a position at Colonna. The Pope in alarm sent a Cardinal with 36,000 ducats to urge him to return. Sforza enquired whether he was to look upon this sum as arrears of old pay or earnest for new service. When the Cardinal answered that it was prepayment for a fresh engagement, Sforza replied, 'Then I will not take it. I left Rome because I could not trust Paolo Orsini.' On May 19 he quitted the Pope's service, declared himself on the side of Ladislas, and, after making a hostile demonstration against Ostia, rode off to Naples. John took his revenge by hanging Sforza in effigy from all the bridges and gates in the city; the figure was

[1] See Cribelli, *Vita Sfortiæ*, Mur. xix. 717.

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suspended by the right foot, and in one hand held a hoe, in the other a paper, with the legend—

> I am Sforza, peasant of Cotignola, traitor,
> Who twelve times have betrayed the Church against my honour:
> Promises, compacts, agreements have I broken.[1]

John XXIII. makes peace with Ladislas. June 1412.

The Pope's humour was coarse, but he knew the manners of the camp, and could answer condottieri after their own fashion. He had his own reasons for thinking that he might do so with safety, for already he had advanced far in negotiations for peace with King Ladislas. Both had something to gain, as Ladislas wished to be free from the claims of Louis, John from those of Gregory XII. Ladislas had no object in maintaining Gregory any longer; in fact his support of Gregory only gave his enemies a plausible handle against him, and isolated him from the other European kingdoms. Moreover, the breach between John XXIII and Louis, if once made, would be irreparable, while Ladislas, who needed a breathing-space, could prosecute his designs against the States of the Church whenever occasion offered. John XXIII. was at his wit's-end to raise money; the Cardinals and the Senator alike were used to extort benevolences from the wealthy; the imposts were so heavy that corn was sold in the city at nine times its ordinary price; the coinage was debased, and there was almost a famine, till John was driven to withdraw his most oppressive taxes through fear of a rebellion. The Prefect of Vico attacked the city; John XXIII. was helpless, and peace was necessary at any price.

Already, on June 18, the news was spread in Rome that the Neapolitan Cardinal Brancacci had arranged a compact between John and Ladislas. On June 30 its terms were known in Venice. They were, that John recognised Ladislas as King, not only of Naples, but of Sicily, which was in the hands of an Aragonese prince; that he appointed him gonfaloniere of the Church and engaged to pay him 120,000 ducats within two years, giving him meanwhile Ascoli, Viterbo, Perugia and Benevento to hold in pledge, and to remit all arrears due from Naples to

[1] Antonius Petri (Mur. xxiv. 1032):
> Io sono Sforza, villano della Cotognola, traditore,
> Che dodici tradimenti ho fatti alla Chiesa, contro lo mio onore:
> Promessioni, capitoli, patti ho io rotti.'

the Church. Ladislas on his part engaged to keep 1,000 lances for the service of the Church, and undertook to treat with Gregory XII. that he should renounce the papacy within three months on condition of being appointed Legate of the March of Ancona, receiving 50,000 ducats, and having three of his Cardinals confirmed in their office. If Gregory refused to accept these terms, Ladislas was to send him prisoner to Provence.[1] The position of both parties in this compact was equally disgraceful: each of them gave up an ally to whom he was bound by the most solemn engagements, and who had endured much for his sake; each threw to the winds all considerations of honour. Ladislas for his part tried to make his change of attitude towards Gregory as little ignominious as might be; he called a synod of Bishops and theologians at Naples, before which he laid a statement of the doubts which beset him about the validity of supporting Gregory when other princes had accepted John. The synod of course declared its willingness to abandon Gregory, and on October 16 Ladislas wrote to John XXIII. announcing that by the 'grace of the Holy Spirit' he recognised him as lawful pontiff.[2] He sent a message to Gregory at Gaeta, ordering him to leave his dominions in a few days. Gregory, whose suspicions had been quieted by the express assurance of Ladislas that they were unfounded, had taken no measures to provide himself with a refuge. The chance arrival of two Venetian merchantmen on their homeward voyage gave him the means to flee. The citizens, who loved the Pope, bought up the cargoes of the ships that they might be at liberty to take him on board. He embarked on October 31, with the three Cardinals who still clung to him, of whom one was his nephew Gabriele Condulmier, who afterwards became Pope Eugenius IV. In dread of enemies and pirates he sailed round Italy and reached the Slavonian coast; thence five small boats brought him and his attendants to Cesena, where he was met by Carlo Malatesta and was conducted with all respect to Rimini. Carlo Malatesta was too high-minded to follow the example of Ladislas and abandon an ally in adversity. Though he knew that so long as Gregory was in his territory, he would be exposed to the incessant hostility of John XXIII., he still did

Gregory XII. flees to Rimini. November 1412.

[1] Marin Sanudo, *Vite de' Duchi di Venezia*, in Mur. xxii. 868.

[2] Letter in Raynaldus, 1412, 2: 'Invocata Sancti Spiritus g ratia.'

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not hesitate to declare himself the sole supporter of the helpless wanderer. Carlo Malatesta is the only Italian who awakens our admiration by his honesty and integrity of purpose in endeavouring to end the schism of the Church.

Council at Rome. February–March 1413.

Meanwhile John XXIII. had felt himself so far bound by the promise of his predecessor to summon a Council for the purpose of carrying on the work of reformation of the Church begun at Pisa, that he issued a summons on April 29, 1411, for a Council to be held at Rome on April 1 in the following year. The summons, however, bore on the face of it marks that it was not meant to be taken in earnest.[1] The Pope narrated the necessity under which he was placed of coming to Rome, abused Ladislas, praised the advantages of Rome as the place for a Council, and excommunicated any one who hinders prelates from coming. With a view of strengthening his hands, John, in June 1411, created fourteen new Cardinals, who were wisely chosen from amongst the most influential men in every kingdom; amongst them were Peter d'Ailly, Bishop of Cambray, and two Englishmen—Thomas Langley, Bishop of Durham, and Robert Hallam, Bishop of Salisbury. In the hazardous position of affairs at the beginning of 1412 the Council was deferred, and finally met on February 10, 1413.[2] It was but scantily attended,[3] as was natural, for no one believed that anything would be done, and nothing could be done in Rome at such a troubled time. It is said that the Pope used his soldiers to prevent those whom he did not trust from coming to the Council at all. The only thing which the Council did was to condemn the writings of Wiclif, which were solemnly burned on the top of the steps of St. Peter's.[4] When some proposals were made to go further than this in the work of reforming the Church, Cardinal Zabarella rose and talked the matter out.[5] A ludicrous incident is chronicled about this

[1] See the letter in Raynaldus, 1411, § 7.

[2] Of this Council, about which very little is known, we gather the date of the commencement from Antonius Petri, p. 1033. Raynaldus puts it at the end of 1412; but see Mansi's note.

[3] Gobelinus Persona (Meibomius, i. 331): 'Prælatis non venientibus in copia quam rerum poscebat gravitas, illud concilium sine effectu sortiebatur.'

[4] *Vita Johannis XXIII.*, in Muratori, iii. part ii. 846.

[5] *Vita Johannis XXIII.*, in Muratori, iii. part ii. 846: 'Quum aliqua

Council, and the fact that it is recorded shows the horror with which the Pope's character was regarded. One evening, while the Pope was at vespers in his chapel, as the hymn 'Veni Creator Spiritus' was begun, came a screech-owl and settled on the Pope's head. 'A strange shape for the Holy Ghost,' said a Cardinal, and tittered; but John was dismayed. 'It is an evil omen,' said he, and those present agreed with him.[1] The Council was soon dissolved on account of its numerical insignificance; but John XXIII. did not dare to let all mention of a Council drop. The University of Paris was too strong to be offended, and it still clung to the hope of a genuine reformation of the Church by means of a General Council. Moreover, Sigismund, the King of the Romans, who had begun to take an interest in Italian affairs, listened to the representations of Carlo Malatesta and urged on John the summoning of a Council. Accordingly, in dismissing the few prelates who ventured to come to Rome, John issued a summons, on March 3,[2] for a Council to be held in December in some fitting and suitable place of which notice was to be given in three months' time. He little thought that events would force him to keep his hypocritical promise.

Plans of Ladislas.

Ladislas of Naples had only made peace with John to gain a short breathing-time for himself and drive the Pope out of Rome with greater ease. In the beginning of May his preparations were made, and he found adherents in plenty amongst the Romans themselves, who were groaning under John's exactions. The opportunity had come for wiping away the disgrace of the defeat of Rocca Secca, and for advancing once more his pretensions over the city of Rome. The scheme of forming an Italian kingdom floated before the eyes of Ladislas, as it had done before so many other Italian princes; he, like the rest,

proponebantur contra Papæ voluntatem, statim surgebat Cardinalis Florentinus et faciebat sermonem longum ut propositiones prælatorum impediret.'

[1] This incident produced a deep impression, which probably is due to John's later misfortunes. The account of it is given by Niem in Meibom. i. 19, in the life of John in Muratori, iii. pt. ii. 846, and by Clemanges in Von de Hardt, i. pt. ii. 67, who says that he was told it by a friend who was present. He makes the incident much more marvellous: the owl fixes its gaze on the Pope and disconcerts him; it comes on two successive days, and would not go away though beaten with sticks; at last it was killed. The story did not lose by telling.

[2] Raynaldus, 1413, § 16.

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found the States of the Church thrust like a wedge between North and South Italy. But the Papacy was less formidable than it had been in former times; it no longer had its roots so deep in the politics of Europe as to be able to raise armies for its defence. Ladislas might hope to succeed where others had failed, and by repeated assaults on Rome, when occasion offered, destroy the prestige of the Papal power, and habituate the citizens to the idea of Neapolitan rule. When Rome had fallen, the only opposition which he need dread was that of Florence.

In May Ladislas detached Sforza against Paolo Orsini, who was in the March of Ancona. Sforza, eager to pursue his hated rival, took Paolo Orsini by surprise and shut him up in Rocca Contratta. It was believed that the Pope was dissatisfied with Orsini, and had secretly betrayed him to Ladislas.[1] If so, Ladislas caught the Pope in his own toils. He entered the Roman territory with an army (May 3) on the ground that, as the Pope proposed to leave the city for the purpose of holding a Council, it was necessary that he should provide for its protection during his absence. John XXIII. was helpless; he could not trust his mercenaries; the people hated him on account of his oppressive imposts; the very members of the Curia were so suspicious of him that they were not sure whether the movements of Ladislas were made in concert with the Pope or not.[2] At every step in the career of John XXIII. we find the same impression amongst those who saw him most, that for him any course was possible.

The troops of Ladislas occupy Rome. June 1413.

As Ladislas drew nearer, John tried when it was too late to win the Roman people to his side. On June 4 he abolished his detested tax on wine; next day he tried to galvanise into life the old Roman Republic, and solemnly restored to the citizens their old liberties and their old form of government. A comedy of exalted patriotism was performed between the Pope and the people. John pompously addressed them: 'I place you once more upon your feet, I entreat you to do what is for the good of the Church, and to be faithful now if ever. Fear not King Ladislas, nor any man in the world, for I am ready to die

[1] Poggio, *Hist. Flor.*, in Mur. xx. 315.

[2] Niem, in Meibomius, i. 21: 'Et quia etiam dubitabant si prædicti hostes de ipsius Balthassaris voluntate ad urbem ipsam sic venissent.'

with you in defence of the Church and the Roman people.' The citizens were not to be outdone in theatrical declamation: 'Holy Father,' they answered, 'doubt not that the Roman people is prepared to die with you in defence of the Church and your Holiness.' Next day (June 6) they held a Council in the Capitol and unanimously resolved, 'We Romans are determined to feed on our own children rather than submit to the dragon of Ladislas;'[1] a crowd of enthusiastic patriots announced this valiant resolution to the delighted Pope. Next day John left the Vatican and rode with his Cardinals to the palace of Count Orsini of Manupello on the other side of the river; he wished to take up his abode in the city to declare his confidence in the people. But on the night of June 8, the troops of Ladislas broke down part of the wall of the church of S. Croce in Gerusalemme, and, led by the condottiere Tartaglia, entered the city. They did not venture to advance in the night, and in the morning the citizens did not venture to attack them. Patriotism and enthusiasm were too precious in word to be rudely expressed in deed. The cry was raised, 'King Ladislas and Peace!' no opposition was made, and Tartaglia was in possession of Rome.

Flight of John XXIII. to Florence.

John XXIII. did not think it wise to expose his patriotism to a ruder shock than did the Romans. As soon as the news of Tartaglia's entry reached him, he hastened to leave Rome with his Cardinals by the gate of St. Angelo, and hurried toward Sutri. The horsemen of Ladislas pursued the unhappy fugitives, whose age and luxurious habits made them unfit for a hasty flight in the mid heat of summer; many were plundered and ill-treated, even the Pope's mercenaries took part in plundering instead of protecting them; many died on the way of thirst. Old men who could rarely endure to ride even for exercise before were seen running on foot to save their lives.[2] Even in Sutri John did not think himself safe, but pressed on in the night to Viterbo, and, after a rest of two days, to Montifiascone. It was harvest time, and the peasants were fearful for their crops if Ladislas was to march in pursuit of the Pope. John did not

[1] These details are given by an eye-witness, Antonius Petri, Mur. xxiv. 1035.

[2] See the description of the flight by Niem, who shared in it, in Meibomius, i. 21.

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think it wise to trust to their loyalty, but passed to Siena on June 17, and thence, on June 21, to Florence. Even Florence was not prepared to quarrel with Ladislas without due deliberation; the Pope was not admitted inside the city at first, but was lodged in the monastery of S. Antonio outside the Porta San Gallo. There he abode till the beginning of November, hearing the news of the entire subjugation of Rome by Ladislas, whose triumphant army advanced northwards through the States of the Church.

Career of Sigismund.

In vain John wrote melancholy letters to the princes of Christendom detailing the enormities of Ladislas, and imploring their help. The only one who lent an ear to his complaints was Sigismund, King of the Romans. Sigismund had reached this dignity at the age of forty-three, after an adventurous life, in which he had generally played an ignominious part. He plunged while still a youth into the troubles of Hungary, of which he claimed the kingdom through his wife; to raise money for his Hungarian adventures he pledged Brandenburg to his cousin Jobst; he led an Hungarian army in the ill-fated expedition against the Turks, which ended in the disastrous defeat of Nicopolis; his Hungarian subjects rebelled against him and even made him prisoner; his attitude towards his worthless elder brother Wenzel was one of cautious self-seeking which had nothing heroic. The circumstances which preceded his election as King of the Romans were not such as to redound to his credit. He was a needy, shifty man, always busy, but whose schemes seemed to lack the elements of greatness and decision which are necessary for success.

Sigismund and Italian affairs.

On his accession to the dignity of King of the Romans, Sigismund recognised that an opportunity was offered of making a fresh start. The teaching of experience had not been thrown away upon him. He had learned that the cruelty by which he had alienated his Hungarian subjects was unprofitable; he had learned to restrain his immoderate sensual appetites; he had learned that a policy of peace was better than one of continual war. He set himself to realise the duties of his new position, to vindicate the old glories of the Imperial dignity, to seek the peace and well-being of Christendom, to labour for the unity of the Church. With many failings, with a ludicrous incongruity between his pretensions and his resources, Sigismund

nevertheless nourished a lofty ideal, which he perseveringly and conscientiously laboured to carry out.

When he was elected King of the Romans, Sigismund was involved in a dispute with Venice about the possession of Zara on the Dalmatian coast; the republic had bought it from Ladislas, as King of Hungary, without enquiring into his title to sell it to them. As King of the Romans, Sigismund complained of the infringement of the Imperial rights by the Venetian conquests on the mainland. If he were to go to Rome for coronation as Emperor, he must command an entrance into Italy through Friuli, which Venice had seized. War against Venice was undertaken in 1411; Sigismund's forces were at first successful, but Carlo Malatesta, fighting for the Venetians, checked their advance and the war lingered on without any decisive results. John XXIII. in vain attempted to mediate. At last exhaustion caused both parties to wish for a truce, which was concluded on April 17, 1413. Sigismund then proceeded into Lombardy, in hopes of gaining back from Milan some of the lost possessions of the Empire. But he came too late; Lombardy, after a disastrous period of disunion which followed on the death of Gian Galeazzo Visconti in 1402, had again become united in 1412, under Filippo Maria Visconti, after the violent death of his two brothers. So strong was Filippo Maria's position that Sigismund found it impossible to gain strong enough allies to attack him. But if he was disappointed in his hopes of gaining glory by an attack on Milan, fortune threw in his way the more lofty undertaking of directing the fortunes of the Church. The Empire, which had fallen from its lofty pretensions and saw its old claims one by one ignored, was yet to find itself in the hands of Sigismund hailed once more by Christendom as the restorer of the Church and arbiter of the Papacy.

John XXIII. turns for help to Sigismund.

As Sigismund abode at Como, John XXIII., terrified by the success of Ladislas, the coldness of Florence, and the sense of his own helplessness, at last resolved to trust himself to the King of the Romans, and submit to his condition of summoning a General Council. John saw the dangers of such a course, but trusted to his own capacity to overcome them; it would be easy for a quick-witted Italian to find some means of eluding a promise made to a clumsy Teuton like Sigismund. His secretary, Leonardo Bruni, tells us how the Pope talked the question

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over with him.[1] 'The whole point of the Council,' he said, 'lies in the place, and I will take care that it is not held where the Emperor will be more powerful than myself. I will give my ambassadors the most ample powers, which they may openly show for the sake of appearances, but secretly I will restrict my commission to certain places.' Such was John's intention, and when the time came for the departure of his ambassadors, the Cardinals Challant and Zabarella, the Pope took them apart and discoursed with them long upon the momentous nature of their mission. He assured them how entirely he trusted their wisdom and fidelity; he said that they knew better than himself what ought to be done. Like many strong and eager natures, John's feelings were easily roused and he was easily carried away by them. Persuaded by his own eloquence, he abandoned all precaution: 'See,' he exclaimed, 'I had determined to name certain places to which you should be bound, but I have changed my opinion and leave all to your prudence. Do you consider on my behalf what would be safe and what dangerous.' So saying, he tore in pieces the secret instructions which he had prepared, and dismissed his ambassadors to carry on their negotiations unfettered. 'This,' says Leonardo Bruni, 'was the beginning of the Pope's ruin.'

Proclamation of the Council of Constance. October 30, 1413.

When the Pope's ambassadors, accompanied by the learned Greek scholar, Emmanuel Chrysolaras, met Sigismund at Como, he at once proposed to them Constance as the place for the meeting of the Council. In spite of their endeavours to fix some place in Italy he stood firm. He urged that Constance was admirably adapted for the purpose, being an imperial city, where he could guarantee peace and order; in a central position for France, Germany, and Italy; easy of access to the northern nations; in a healthy situation on the shores of a lake; roomy and commodious for the accommodation of crowds of visitors; situated in the midst of a fertile region whence provisions could easily be obtained. These arguments admitted of no objection: the ambassadors were unprepared to find Sigismund so decided. As he would not give way, they hesitated to break off negotiations, considering the helpless condition of the Pope and the hopes which he placed in Sigismund's protection. Perhaps they had also a lingering wish for a Council which should be a reality,

[1] *Commentarius*, in Muratori xix. 928.

and were not sorry to find themselves in a position to commit the Pope to a decided step. At all events, in the Pope's name they accepted Constance as the place of a Council to be held in a year's time, on November 1, 1414. Sigismund lost no time in making his triumph known. Before the Pope could hear of the agreement that had been made, Sigismund, on October 30, issued a letter announcing the time and place of the Council, summoning to it all princes and prelates, and promising that he would be there himself to provide for its full security and liberty.[1]

Conference of John XXIII. and Sigismund at Lodi. December 1413.

John was thunderstruck when he heard what his legates had done; he cursed his own folly for having trusted their discretion. He was keenly alive to the danger of putting himself in Sigismund's hands; but he had been irrevocably committed, and his destitute condition gave him no hopes of escape. He soon, however, recovered his courage and trusted to his own skill to win over Sigismund and prevail upon him to change the place fixed for the Council. For this purpose he sought a personal interview, and early in November left Florence for Bologna, where he arrived on November 12. Bologna had soon grown tired of its republican rule; the nobles had risen and put down the popular party, and the city returned to its allegiance to the Pope in August 1412. It was not, however, a safe place of refuge for him, as Carlo Malatesta, acting again in conjunction with Ladislas, advanced into the Bolognese territory and threatened the city. John left Bologna, on November 25, for Lodi. Sigismund advanced to Piacenza to meet him, and they entered Lodi together, where they were entertained in royal state. John, however, found that all his artifices were of no avail to overcome Sigismund's intention; he resisted all proposals to change the seat of the Council from Constance to some Lombard city. John was obliged to stand by the luckless undertaking of his legates, and with a heavy heart issued from Lodi, on December 9, his summons to the Council to be held at Constance in the next November. Sigismund sent also summonses to Gregory XII., Benedict XIII., and the Kings of France and Arragon. Once more the old Imperial pretensions were revived, and the rule of Christendom, by the joint action of the temporal and spiritual power, was set forward.[2]

[1] Dated from 'Villa vocata *Viglud* in volgari *Veguì*.' In Von der Hardt, vi. 5.

[2] See letter in Von der Hardt, vol. vi. 7: 'Inter curas varias nostris

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John XXIII. and Sigismund at Lodi. Jan. 1414.

At Lodi John and Sigismund stayed for a month in amicable relations, and celebrated with royal and papal pomp the festival of Christmas. From Lodi they passed on together to Cremona, then under the lordship of Gabrino Fondolo, a man characteristic of the political condition of Italy in that age. He had won his way to the lordship of Cremona by the murder of his masters, the brothers Cavalcabo, whom he had instigated previously to assassinate their uncle, so as to accelerate their own accession to power. Now that he had the Pope and King of the Romans in his city, his heart swelled with pride and he wished to immortalise himself.[1] The thought flashed through his mind that he might do a deed which would make his name more renowned than that of Empedocles: he had in his power the two heads of Christendom, and if he put them to death the exploit would give his name an undying memory. One day, when he had taken his distinguished guests to the top of the Torrazzo, the campanile of the Duomo of Cremona, famous as being the loftiest tower in Italy of that date, he felt a powerful temptation to hurl them down as they were unsuspiciously feasting their eyes on the splendid panorama of the fruitful plain of Lombardy watered by the Po and closed in by the mountain chains of the Alps and Apennines. The news that the Venetian ambassador Tommaso Mocenigo, who had come to Cremona to greet the Pope, had been elected Doge of Venice, put a third noble victim in Fondolo's hands. Though he resisted the temptation at the time, so strongly had the idea impressed itself on his imagination that, eleven years later, when his blood-stained career was cut short, and he was put to death by the Duke of Milan, he looked back regretfully on the opportunity which he had missed. When he reflected on the barren results of his adventurous life, he confessed the project which he had once entertained of gaining immortality, and grieved that he had not had the courage to carry it into execution.[2] So powerful a motive was the desire for fame, however acquired, to the wild and soaring characters

processibus influentes sollicitudo quotidiana nos exercet qualiter generali bono statui totius populi Christiani multifarie multisque modis nostris temporibus proficere valeamus.'

[1] *Chron. Eugub.*, in Mur. xxi. 955.

[2] *Ibid.*; and Campo, *Cremona fidelissima Città*, bk. iii.

which the plastic nature and adventurous politics of the Italian States had developed.

Advance of Ladislas. 1414.

Though neither John nor Sigismund knew the extent of the danger which they had run, yet they did not feel comfortable in the hands of Fondolo.[1] John passed on to Mantua on January 16, to see if any help could be gained from Giovanni Francesco Gonzaga. There he stayed for a month, and went to Ferrara on February 16, where he won over to his side the Marquis Niccolo d'Este, whom Ladislas had tried to bribe. On February 26 he arrived in Bologna, where he intended to make his position secure; he restored the castle of Porta Galliera, and raised round it an earthwork surmounted by a palisade. There was need of John's precautions, for the implacable Ladislas was moved to anger at the news of John's negotiations with Sigismund. He declared in wrath that he would drive him out of Bologna as he had driven him out of Rome. On March 14 Ladislas entered Rome with his army, and showed his haughty contempt for all things human and divine by riding into the Church of St. Giovanni in Laterano, where the priests brought forth their holiest relics—the heads of S. Peter and S. Paul—and humbly displayed them to the King, who remained seated on his war-horse. After a month's stay in Rome he moved northwards. Florence, terrified at this advance, negotiated for peace, which was concluded at Perugia on June 22, on condition that Ladislas proceeded no further. The interposition of Florence, which dreaded a disturbance so near her own territory, saved John for the time.

Death of Ladislas. August 6, 1414.

Ladislas slowly retired towards Rome, smitten with a mortal disease, the results of his own debauchery. He was borne in a litter to S. Paolo outside the walls, and thence to the sea, where a galley carried him to Naples. With him he took in chains Paolo Orsini, against whom he had conceived some suspicion. He purposed to have him put to death at Naples, but did not live long enough to carry his purpose into effect. His sister, Giovanna, who was his successor, judged it better to spare so useful a general, and Ladislas was soothed in his last hours by the false belief that his sanguinary commands had been

[1] Redusius, *Chron. Tarvisinum*, in Mur. xix. 827: 'In illorum mentem incidit quod apud infidum hospitem reperirentur, et deliberaverunt insalutato hospite abire quam presto et ad propria remeare. Sicque factum est.'

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executed.[1] He died on August 6, and the body of this mighty King was hurriedly buried by night, unhonoured and ungraced, in the church of S. Giovanni Carbonara, which he had himself restored and enlarged. The monument of Ladislas raised by his sister, Queen Giovanna II., is one of the grandest monumental works of Italian sculpture, and gives a powerful impression of the desire felt by Italian princes to commemorate their name and their achievements. Striving after massive grandeur, the sculptors who worked in Naples created no new form of monument, but magnified into a vast piece of architecture the simple conception of the effigy of the dead reclining on a slab, which for convenience was raised from the ground and received an ornamental base. The whole east end of the church behind the high altar is filled with the tomb of Ladislas. Colossal figures of virtues support an architrave which holds the inscription; above that are seated in a niche figures of Ladislas and Giovanna II., with crown, sceptre, and imperial eagle, in royal state dispensing justice. Above that rises another tier holding the sarcophagus of Ladislas, from before whose sculptured figure two angels, in the Tuscan fashion, are softly drawing the curtains which shroud the dead. On the top of the arch which closes the sarcophagus stands an equestrian statue of Ladislas, drawn sword in hand, in such guise as often he led his men to battle.

Character of Ladislas.

The barbaric vastness and luxuriance of the tomb of Ladislas, with its inscriptions, 'Divus Ladislas,' 'Libera sidereum mens alta petivit Olympum,' is characteristic of the man and of the time. Ladislas had the strong will and the strong arm of a born ruler. He reduced to order and obedience the turbulent barons of Naples by playing off against one another the rival factions of Anjou and Durazzo. His plan of secularising the States of the Church, as the first step towards forming a great Italian kingdom, was one which long floated before the eyes of the more adventurous politicians of Italy. He was an excellent general, a man of unfailing resolution and boundless daring. But his character was barbarous and brutal, he was alike destitute of religion and morality; neither in public nor private life

[1] *Giornali Napolitani*, in Mur. xxi. 1076: 'E sempre diceva: "E' vivo Paolo! menatelo quì, che l'voglio uccidere io di mia mano." E la sera se chiamò la sorella e le ordinò che facesse subito ucciderlo; e la sorella li disse che già era morto, e così riposò da quella ansia.'

was he guided by any consideration of honour, and no means were too base or treacherous for him to employ. So long as he lived, all Italy was in terror of his ambitious schemes; when he died and his power passed into the hands of his foolish and profligate sister Giovanna II., the Italian cities began to breathe again with a new sense of freedom.

Rome recovered for the Pope. October 1414.

On the news of the death of Ladislas, Rome rose against the Neapolitan senator and raised the old cry, 'Viva lo popolo!' Sforza hastened to put down the rising; but the people raised barricades in the streets and Sforza was compelled to retire. John XXIII.'s hopes had revived on the death of his dreaded foe, and he sent to Rome as his legate Cardinal Isolani of Bologna. The old republican feeling of Rome had been too far weakened to be sure of its own position; on the legate's approach the cry was raised, 'Viva lo popolo e la Chiesa!' and, on October 19, Isolani without a battle took possession of the city in the name of the Pope. Had this success occurred a month sooner John XXIII. would have returned to Rome instead of going to Constance; as it was, it came too late, for his course had to be determined before he was sure of possessing Rome. For some time he hesitated to begin his journey to Constance; but the Cardinals urged that his word was pledged, the summons was issued, and it was too late to go back. He spoke of sending representatives to the Council and going himself to Rome; the Cardinals reminded him that a Pope should settle spiritual matters in person and temporal matters by deputy.[1] Meanness and fear of danger were not amongst the faults of John XXIII.; he still believed in his own power to cope successfully with difficulties, and he was attracted by the prospect of presiding over a Council gathered from the whole of Christendom. Before beginning his journey he obtained through Sigismund an undertaking from the magistrates of Constance that he should be received with honour and recognised as the one true Pope; that the Curia should be respected and the Papal jurisdiction be freely exercised; that he should be at liberty to remain in Constance, or withdraw at pleasure. His intention was to preside a few months over the Council and then return to Rome.

On October 1, John XXIII. set out for Constance, travelling

[1] From Vatican MS. in Raynaldus, 1414, No. 6.

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Journey of John XXIII. to Constance. October 1414.

through Verona and Trent. There he met Frederick Duke of Austria, who was no friend of Sigismund, and saw many advantages to be gained by an alliance with the Pope. John was eager to form a party, and at Meran, on October 15, appointed Frederick Captain-General of his forces, and honorary chamberlain, with a yearly pension of 6,600 ducats. Frederick was lord of much of the territory that lay round Constance, and John had the caution to assure himself of an ally who could afford him refuge or give him means of escape if need should be. Moreover, Frederick was related by marriage to the Duke of Burgundy, who had a strong motive for preventing the Council from sitting long, as he knew that the Gallican party intended to press a question which closely concerned his own honour. From Meran the journey was tedious and perilous. On the Arlberg the Pope's carriage broke down and he was tumbled in the snow; when his attendants anxiously enquired if he was hurt, he made the unchristian answer, 'Here I lie in the devil's name.' When he reached the summit of the pass and looked down upon the Lake of Constance girt in by mountains and hills, he exclaimed with a shudder, 'A trap for foxes!'[1] At last the perils of the journey were over and its sweets begun; but, true to his policy of making useful friends, John XXIII. conferred on the Abbot of Kreuzlingen, a monastery just outside the walls of Constance, the privilege of wearing a mitre. On October 28, he made his entry into Constance attended by nine Cardinals and followed by six hundred attendants; he was received by the city magistrates with all due pomp and reverence.

[1] Reichenthal, 13: 'Sic capiuntur vulpes.'

*BOOK II.*

# THE COUNCIL OF CONSTANCE.

1414–1418.

# CHAPTER I.

## THE COUNCIL OF CONSTANCE AND JOHN XXIII.

### 1414—1415.

CHAP. I.

General desire for reform of the Church.

At the time of the assembling of the Council of Constance there was a widespread and serious desire throughout Europe for a reformation of the ecclesiastical abuses which the Schism had forced into such luxuriant growth: not only was unity to be restored to the headship of the Church, but a remedy must also be found for the evils which beset the entire body. The gross extortions of the Pope and Curia must be checked and their occasion done away. The Papal invasion of ecclesiastical patronage all over Christendom must be stopped. The ordinary machinery of Church government, which had been weakened by the constant interference of the Pope, must be again restored. The clergy, whose knowledge, morality and zeal had all declined, must be brought back to discipline, so that their waning influence over earnest men might be re-established.

Testimony of Dietrich Vrie.

If we would understand aright the force of the feelings that made the Papacy hateful, till the hatred broke out into open revolt, it is worth while to gather a few of the impassioned utterances of this time. Dietrich Vrie, a German monk who went to Constance, in a Latin poem more remarkable for its vigour than its grace, puts the following language into the mouth of the disconsolate Church:

'The Pope, once the wonder of the world, has fallen, and with him fell the heavenly temples, my members. Now is the reign of Simon Magus, and the riches of this world prevent just judgment. The Papal Court nourishes every kind of scandal,

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and turns God's houses into a market. The sacraments are basely sold; the rich is honoured, the poor is despised, he who gives most is best received. Golden was the first age of the Papal Court; then came the baser age of silver; next the iron age long set its yoke on the stubborn neck. Then came the age of clay. Could aught be worse? Aye, dung, and in dung sits the Papal Court. All things are degenerate, the Papal Court is rotten; the Pope himself, head of all wickedness, plots every kind of disgraceful scheme, and, while absolving others, hurries himself to death.'[1]

Vrie's 'History of the Council of Constance' begins with a denunciation of the simony, the avarice, the ambition, and the luxury of the Pope, the Bishops, and the entire clergy: 'What shall I say of their luxury when the facts themselves cry out most openly on the shameless life of prelates and priests! They spare neither condition nor sex; maidens and married men and those living in the world are all alike to them.'[2] 'Benefices,' he complains, 'which ought to provide alms for the poor have become the patrimony of the rich. One holds eighteen, another twenty, a third twenty-four; while the poor man is despised, his knowledge and his holy life are of no account. An infant newly born is provided by his careful parents with ecclesiastical benefices. "We will hand him over," say they, "to such a Bishop who is our friend, or whom we have served, that we may be enriched from the goods of the Lord, and our inheritance be not divided amongst so many children." Another is nurtured with more than fatherly affection by some dean or provost, that he may succeed him—is nurtured in luxury and sin. Another, perhaps the son of a prince, is worthy of an archdeaconry, much more so if he be a bishop's nephew. Another eagerly seeks a place on every side, flatters, cringes, dissembles, nay, does not blush to beg, crawling on hands and knees, provided that by any guile he may creep into the patrimony of the Crucified One.'[3]

Testimony of Nicolas de Clémanges.

If these utterances of Vrie be thought rhetorical, the more sober spirit of Nicolas de Clémanges, doctor of the University of Paris, and Secretary to Benedict XIII., gives no very different account. 'Now-a-days in undertaking a cure of souls no

[1] Von der Hardt, I. part i. 11.
[2] *Ibid.* p. 69.
[3] *Ibid.* pp. 70–71.

mention is made of Divine services, of the salvation or edification of those entrusted to the priest's care; the only question is about the revenue. Nor do men count the revenue to be the value of the benefice to one who is resident and serves the Church, but what it will yield to one who is far away and perhaps never intends to visit it. No one obtains a benefice however great his merits, without constant and repeated asking for it.[1] The Popes in their desire for money have drawn all manner of elections into their own hands, and appoint ignorant and useless men, provided they are rich and can afford to pay large sums. The rights of bishops and patrons are set at naught; grants of benefices in expectancy are given to men who come from the plough and do not know A from B. The claims of the Popes for firstfruits, or the first year's revenues on presentation to a benefice, and other dues have become intolerable. Papal collectors devastate the land, and excommunicate or suspend those who do not satisfy their demands; hence churches fall into ruins, and the church plate is sold; priests leave their benefices and take to secular occupations. Ecclesiastical causes are drawn into the Papal court on every kind of pretext, and judgment is given in favour of those who pay the most. The Papal Curia alone is rich, and benefices are heaped on Cardinals who devour their revenues in luxury and neglect their duties.'

In this state of things, Clémanges proceeds, the chief care of the clergy is of their pockets, not of their flocks. 'They strive, scold, litigate, and would endure with greater calmness the loss of ten thousand souls than of ten thousand shillings. If by chance there arise a pastor who does not walk in this way, who despises money, or condemns avarice, or does not wring gold justly or unjustly from his people, but strives by wholesome exhortation to benefit their souls, and meditates in the law of God more than the laws of men, forthwith the teeth of all are whetted against him. They cry out that he is entirely senseless and unworthy of the priesthood; he is ignorant of the law and does not know how to defend his rights, or rule his people, or restrain them by canonical censures; he knows nothing save idle preaching which is more fitting for friars who have none of the cares of temporal administration. The study of Holy Writ and its professors are openly turned to ridicule, especially by the

[1] *De Ruina Ecclesiæ*, Von der Hardt, I. part iii. 6.

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Popes, who set up their traditions far above the Divine commands. The sacred and noble duty of preaching is held so cheap among them that they count nothing less befitting their dignity.[1]

'Episcopal jurisdiction is useless. Priests condemned for theft, homicide, rape, sacrilege, or any other serious offence are only condemned to imprisonment on a diet of bread and water, and are imprisoned only till they have paid enough money, when they walk away scot free. On the other hand, the Episcopal jurisdiction is eagerly extended over harmless rustics, and summoners scour the land to pry out offences against canon law, for which the luckless victims are harassed by a protracted process and are driven to pay heavy fines to escape. Bishops do not hesitate to sell to priests licences to keep concubines. No care is taken to ordain proper persons to the priesthood. Men who are lazy and do not choose to work, but who wish to live in idleness, fly to the priesthood; as priests, they frequent brothels and taverns, and spend their time in drinking, revelling, and gambling, fight and brawl in their cups, and with their polluted lips blaspheme the name of God and the saints, and from the embraces of prostitutes hurry to the altar.'[2] Bishops are rarely resident in their sees and are generally engaged in political or temporal pursuits; yet they are of such a character that their absence is better than their presence. Chapters and their canons are no better than bishops. Monks are undisciplined and dissolute, idle and good for nothing. The Friars on the other hand are active enough, but active only in rapacity and voluptuousness.[3] Nunneries are so sunk in shame, so openly given up to evil, that it is scarcely possible to speak of them.[4] Clémanges admits that there are some good men among the clergy, but 'scarcely one in a thousand sincerely does what his profession requires.' The Schism is the scourge of God on these abuses, and unless a reformation be wrought worse ills will follow and the Church will be destroyed.

[1] Von der Hardt, *ut supra*, pp. 21–22.

[2] *Ibid.* p. 26.

[3] *Ibid.* 36. 'Mero se ac lautis epulis cum non suis uxoribus, licet sæpe cum suis parvulis, avide satiantes, cunctaque libidinibus, quarum torrentur ardore, polluentes.'

[4] *Ibid.* p. 38. 'Nam quid, obsecro, aliud sunt hoc tempore puellarum monasteria, nisi quædam non dico Dei sanctuaria, sed lascivorum et impudicorum juvenum ad libidines explendas receptacula? Ut idem sit hodie puellam velare quod ad publice scortandum exponere.'

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Denunciations to the same effect might be quoted from writers of almost every land. Lamentations over the corruptions of the Church were not confined to a few enthusiasts; men of high ecclesiastical position and of undoubted orthodoxy spoke openly of the abuses which everywhere prevailed. It was not wonderful that heresy spread, that the doctrines of Wiclif and Hus made many converts. Men went to Constance with three aims in view—to restore the unity of the Church, to reform it in head and members, and to purge it of erroneous doctrines. These objects were to be attained by means of a General Council, though the exact scope of its power was yet to be determined. The foundation of the Council's authority was the theory that the plenitude of ecclesiastical power vested in the universal Church, whose head was Christ, and of which the Pope was the chief minister. The executive power in the Church rested generally with the Pope; but a Council had a concurrent jurisdiction in all important matters, a corrective power in case of abuses, and a power of removing the Pope in case of necessity. For these purposes a Council had a power of compulsion and of punishment against a Pope.[1] Such was the general result of the teaching of the Parisian theologians which had been turned into practice by the Council of Pisa.

Basis of the Council's authority.

But the Parisian theologians did not wish to push these principles too far: in practice they only aimed at rescuing the Papal primacy from the evils of the Schism, restoring its unity, regulating its powers, and then reinstating it in its former position. There was a school of German reformers who had a more ideal system before their eyes, who aimed at diminishing the plenitude of the Papal primacy, and making it depend on the recognition of the Church. Their views are fully expressed in a treatise written in 1410, most probably the work of Dietrich of Niem, who well knew the ways of the Roman Curia: 'About the means of unity and reforming the Church.'[2] Beginning from the Creed, the writer asserts his belief in 'one Catholic and Apostolic Church.' The Catholic Church consists of all who believe in Christ, who is its only Head, and it can never err: the Apostolic Church is a particular and private Church, consisting of Pope, Cardinals, and prelates; its head is supposed

Scheme of the German reformers.

[1] See Hübler, *Die Constanzer Reformation*, pp. 372–8.

[2] In Von der Hardt, I. part iv. For the authorship see Appendix.

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to be the Pope, and it can err. The Catholic Church cannot be divided; but for the sake of its members we must labour for the unity of the Apostolic Church, which stands to the Catholic Church as a genus to a species. As the object of all society is the common good, a Pope can have no rights as against the well-being of the Church. The Papal primacy has been won by guile, and fraud, and usurpation; but the idea that a Pope cannot be judged by any is contrary alike to reason and Scripture. The Pope is a man, born of man, subject to sin, a few days ago a peasant's son; how is he to become impeccable and infallible? He is bound to resign or even to die if the common good should require it. The unity of the Church must be secured by the abdication of two of the three Popes, or, if it be necessary, by the compulsory abdication of all of them. Union with a particular Pope is no part of the faith of the Catholic Church, nor is it necessary for salvation; rather, Popes contending for their private good are in mortal sin, and have no claim on the allegiance of Christians.

A General Council represents the universal Church; and when the question to be settled is the resignation of a Pope, it does not belong to the Pope to summon the Council, but to prelates and princes who represent the community. The Pope is bound to obey such a Council, which can make new laws and rescind old ones. The Council must make a general reform in the Church, must sweep away simony, and amend the ways of Pope, Cardinals, prelates, and other clergy. For this purpose it must limit the power of the Pope who has invaded the rights of Bishops, drawn all matters to the Curia, and overthrown the original constitution of the Church.[1] The authority of the Pope must be reduced to its ancient limits, the abuses of the Cardinals must be checked, and the prelates and clergy purified. The writer of this treatise admits that there are many

[1] Von der Hardt, I. part iv. 90. 'Quam quidem coactivam potestatem multi summi Pontifices per successiones temporum et contra Deum et justitiam sibi applicarunt, privando inferiores Episcopos potestatibus et autoritatibus, eis a Deo et ecclesia concessis: qui in primitiva ecclesia æqualis potestatis cum papa erant, quando non fuerunt papales beneficiorum reservationes, non casuum episcopalium inhibitiones. . . . Tandem per tempora successive crescente clericorum avaritia et Papæ simonia, cupiditate et ambitione, potestas et autoritas episcoporum et prælatorum inferiorum quasi videtur exhausta et totaliter diruta. Ita ut jam in ecclesia non videntur esse nisi simulacra depicta et quasi frustra.'

difficulties in the way—difficulties arising from self-interest and conservative prejudice. A Council can only succeed if supported by the Emperor who holds from God a power over the bodies of all men. The work concludes with defining the business of the Council to be, (1) the reincorporation of the members of the universal Church, (2) the establishment of one undoubted and good Pope, (3) limitation of the Papal power, (4) restoration of the ancient rights of the primitive Church, (5) provisions concerning Pope and Cardinals which may prevent future schism, and finally (6) the removal of all abuses in the government of the Church.

Such was the large plan of the reforming party in Germany. It was to be decided in the Council assembled at Constance how much of it was to be carried into actual effect.

State of Europe at the opening of the Council.

The quiet city of Constance was now to be the centre of European politics, for the Council held in it was looked upon as a congress rather than a synod. Every nation in Europe felt itself more or less helpless, and in need of assistance. Italy was in a condition of hopeless confusion; the Greek Empire was in its decrepitude menaced by the Turks, whom Hungary also had just reason to dread; Bohemia was torn by civil and religious discord; the Empire was feeble and divided; in France the madness of King Charles VI. gave an opportunity to the bloody feuds of the Burgundians and Armagnacs; England had gathered strength a little under Henry IV., but was disturbed by the Lollards, and was on the brink of war with France.

Europe was hopelessly distracted, and longed to realise its unity in some worthy work. The disunion of the ecclesiastical system was a symbol of the civil discord which everywhere prevailed. Men looked back longingly upon a more peaceful past, and Sigismund's appeal to old traditions met with a ready answer. The Council of Pisa had been an assemblage of prelates; through Sigismund's participation the Council of Constance became the meeting place of all the national interests of Christendom. Slowly but sincerely all the wisest in Europe prepared to set their faces towards Constance.

Men did not assemble at once. Till the last there had been

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Opening of the Council. November 5, 1414.

doubts whether the Pope would come. In June came the Bishop of Augsburg, and the Count of Nellenburg, to make preparations on Sigismund's part; it was not till August 12, that the Cardinal of Viviers arrived on behalf of the Pope and preparations were made in earnest. The magistrates and citizens of Constance set themselves diligently to work to provide lodgings, lay up stores of provisions, take measures for the safety and order of the city, and make all the numerous changes which were necessary to enable them to fulfil the honourable duty which had fallen upon them. At first, however, prelates arrived slowly, chiefly from Italy in obedience to the Pope. On November 1, owing to the scanty attendance, John deferred the opening of the Council till the 3rd, and in so doing pronounced the Council to be a continuation of the Council of Pisa. On November 3, the opening was again deferred till the 5th, when the Pope with fifteen Cardinals, two Patriarchs, twenty-three Archbishops, and a good number of other prelates, solemnly opened the Council by a service in the cathedral, after which the first session was fixed for the 16th.

First session. November 16, 1414.

Now that the Council had begun, arrivals became more frequent, still chiefly from Italy, whence the good news of the recovery of Rome filled the Pope's heart with joy. Meanwhile the theologians were busy in drawing up proposals for the procedure of the Council. They suggested that proctors and promoters be appointed as at Pisa, who should lay matters before the Council; besides them was to be chosen a number of doctors who between the sessions should receive suggestions and determine the form in which business should be brought forward. It was generally agreed that the first question should be the restoration of the unity of the Church by procuring, if possible, the abdication of Gregory XII. and Benedict XIII. At the first session on November 16, John XXIII. preached a sermon on the text, 'Speak ye every man the truth;' after which a Bull was read detailing the circumstances of the summoning of the Council, and its connexion with the Councils of Pisa and Rome, exhorting the members to root out the errors of Wiclif and reform the Church, and promising to all entire freedom of consultation and action. Nothing more was done that day. As yet the Pope and the Council were watching each other, and no one was ready to take a decided step. Those amongst the

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Germans and Italians, who wished something to be done, were waiting for the French and English prelates to lead them.[1]

Signs of opposition to John XXIII. November 17–December 7, 1414

With the arrival of Peter d'Ailly, Bishop of Cambrai, on November 17, begins the first formation of an opposition to the Pope, which a trivial incident soon brought to light. On November 18, lodgings were prepared in the Augustinian monastery for the Cardinal of Ragusa, legate of Gregory XII. According to custom the legate's arms were put up above the door, and with them the arms of Gregory XII. On the following night the arms were ignominiously torn down, without doubt by the orders of John XXIII. This overt action awoke at once a feeling among the members of the Council, and a congregation was called to consider the matter. It was urged that Gregory, having been deposed by the Council of Pisa, could not have any claim to be acknowledged as Pope; but the general opinion was against any decision on this broad ground; and merely agreed that the arms should not be replaced because Gregory XII. was not himself present, but only his legates. Soon after this, on November 28, came a letter from Sigismund telling of his coronation at Aachen and announcing his speedy arrival at the Council. John was compelled in courtesy to answer by a letter urging him to come as soon as possible; but he was ill at ease. His plans for managing the Council did not seem to prosper. He had hoped to overbear opposition by the multitude of Italian bishops dependent on himself; but this intention was so openly displayed that the Council, in spite of John's efforts to the contrary, began to talk of organising itself by nations, so as to do away with the numerical preponderance of the Italians, and allow each separate kingdom to bring forward its own special grievances. Indeed, John was not a skilful diplomat; he could not disguise his uneasiness and was too transparent in his intrigues. He gained secret information from his partisans of everything that was being talked about, and then was not discreet enough to keep his own counsel. The opposition between the Pope and the Council was day by day increasing, and he was anxious to have a secure position before Sigismund came.

[1] 'Apud aliquos erat morbus *Noli me tangere*. Illi autem qui agere cupiebant præ absentia Gallicorum et Anglicorum, in quibus apud omnes maxima spes erat, tangere non audebant.' Von der Hardt, II. part viii. 189.

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Proposal for procedure. December 7, 1414.

Accordingly in a congregation of Cardinals and prelates held in the Pope's palace, though in the Pope's absence, on December 7, the Italian or Papal party brought forward a schedule to regulate the business of the Council. This schedule laid down that matters concerning the faith were to take precedence over other matters; that the first step should be to confirm the acts of the Council of Pisa and empower the Pope to proceed against Gregory XII. and Benedict XIII. if possible by compact, if not by force[1]; that the Pope should summon a General Council every ten years, should abolish simony, and agree to a few obvious regulations. The object of this proposal was to recognise the acts of the Council of Pisa, so far as the deposition of Gregory and Benedict was concerned, but to give the Council of Constance an independent existence so far as regarded the reformation of the Church. Questions relating to faith, the opinions of Wiclif and Hus, were first to be discussed, and no doubt they would take up time enough till the Council dissolved and all discussions of reforms except on a few trivial points might be again put off. This proposal of the Italians was opposed by Peter d'Ailly and other French prelates, who objected that the present Council was a continuation of the Council of Pisa for the purpose of proceeding with the union and reformation of the Church; until that had been accomplished it must rest on the basis of the Pisan Council and could not confirm it: whoever spoke of dissolving or proroguing this Council was a favourer of schism and heresy. A third proposal was made by four of the old Cardinals which was directly aimed against the Pope. It set forth bluntly and straightforwardly the reforms which were needed in the Pope's household and personal conduct. The Pope, it laid down, ought to have fixed hours in the day for religious duties which ought not to be slurred over nor neglected; he must show diligence in business, and avoid simony; he should appear in public in Papal attire, and should conduct himself with gravity in word and gesture;[2] he must take care that the Papal dignity be not counted cheap in the eyes of the nations flocking to the Council, and must remember the saying that 'careless masters make lazy servants;' he should not waste his time in idle talk with irresponsible persons, but should act with proper advice, regulate

[1] 'Per viam tractatus' or 'per viam facti.' Von der Hardt, iv. 24.

[2] 'Romanus pontifex debet se exhibere semper in habitu papali, et multa gravitate in verbo et gestu.' Von der Hardt, iv. 25.

everything that goes on in the Council, and honestly work with it. There was certainly no want of plain speaking; and John might have perceived, had he been wise, how dangerous was his position between those who, like Peter d'Ailly, wished to set to work at the reformation of the Church, and those who were convinced that no reformation of the Church was possible till there had been a very decided reformation in the Pope.

Proposal of D'Ailly. December 1414.

No conclusion was arrived at from this discussion; but a few days later D'Ailly in a general congregation in the Pope's presence read a memoir in favour of proceeding mildly against Gregory and Benedict as the surest way of promoting the cause of union. Resignation ought to be made easy to them in every way; a committee might be appointed by the Council chosen from the different nations to confer with them and arrange terms for their resignation. This view of D'Ailly's was vehemently attacked both by those who were partisans of John XXIII. and by those who wished to maintain to the letter the authority of the Pisan Council. D'Ailly answered the arguments of both parties, and in so doing laid down a principle which was fruitful in later times. 'Although the Pisan Council,' he said, 'is believed with probability to have represented the universal Church which is ruled by the Holy Spirit and cannot err; still every Christian is not bound to believe that that Council could not err, seeing that there have been many former Councils, accounted general, which, we read, have erred. For according to some great doctors a General Council can err not only in deed but also in law, and, what is more, in faith; for it is only the universal Church which has the privilege that it cannot err in faith.'[1] To meet the general suspicion with which the proceedings of the Council of Pisa were regarded, D'Ailly laid down the weighty principle that the faith of Christendom was to be found

[1] 'Licet Concilium Pisanum probabiliter credatur representasse universalem Ecclesiam, et vices ejus gessisse, quæ Spiritu Sancto regitur et errare non poterit; tamen propter hoc non est necessario concludendum quod a quocunque fideli sit firmiter credendum quod illud concilium errare non potuit, cum plura priora concilia fuerunt generalia reputata quæ errasse leguntur. Nam secundum quosdam magnos doctores, generale concilium potest errare non solum in facto, sed etiam in jure et, quod magis est, in fide. Quia sola universalis ecclesia hoc habet privilegium quod in fide errare non potest, juxta illud Christi dictum Petro, non pro se nec personali sua fide, sed pro fide universæ ecclesiæ, "Petre, non deficiet fides tua."' Von der Hardt, ii. 201.

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graven on the heart of Christendom, and the infallibility of Councils was to depend on their decrees embodying the universal consciousness of the truth.

Arrival of Sigismund. December 25, 1414.

These differences of opinion prevented any definite conclusion, and further proceedings were deferred till the arrival of Sigismund. The second session, which John had announced for December 17, was not held till March 2, 1415. On the morning of Christmas day, amid the glare of torches, Sigismund arrived in Constance with his Queen, Barbara of Cilly, Queen Elizabeth of Hungary, the Countess of Wurtemberg, and Rudolph of Saxony. He scarcely had time to change his raiment before he made his first public appearance at early mass on Christmas morning. The Markgraf of Brandenburg bore the royal sceptre; the Elector of Saxony the drawn sword, and the Count of Cilly the golden apple of the Empire. Sigismund acted as deacon at the mass, and read with majesty the Gospel, 'There went out a decree from Cæsar Augustus.' The Pope, after the mass was over, handed the King a sword, with a charge to use it in protection of the Church, which Sigismund swore to do. Sigismund had a love of pomp and outward magnificence, and had timed his arrival at the Council so as to gratify it to the full. Once having secured his position, he was sure to receive due respect afterwards; the staunch adherents of the Council offered extravagant incense to the Imperial dignity.[1] He was addressed as a second Messiah come to ransom and restore the desolate Church.

Numbers present at the Council.

Sigismund's arrival was the signal to all who had yet delayed to hasten their journey to Constance. Day by day princes and prelates, nobles and theologians, from every court and every nation of Europe, had been streaming into the little town on the borders of the Boden See. From Italy, France, and Germany; from England, Sweden, Denmark, Poland, Hungary, Bohemia, even from Constantinople, flocked the representatives of power and learning. In their train came a motley crew of sightseers and adventurers of every kind. The novels of the next generation show us how Constance was regarded as the metropolis of every kind of enjoyment, gallantry, and intrigue.

[1] See *Vrie* in Von der Hardt, i., *passim*, p. 8. 'Vestra serenitas e seraphico demissa solio,' &c. There is no adoration so fulsome that Vrie does not lavish it on Sigismund.

The number of strangers present in Constance during the Council seems to have varied between 50,000 and 100,000,[1] amongst whom were counted 1,500 prostitutes[2] and 1,400 flute players, mountebanks, and such like. Thirty thousand horses were stalled in the city, beds were provided for thirty-six thousand men, and boys made fortunes by raking up the hay that fell from the carts which thronged the streets with fodder. Excellent precautions were taken under the direction of the Pfalzgraf Lewis for the supply of provisions and the maintenance of order. In spite of the crowd there was no lack of food, nor did the prices rise owing to the pressure. Two thousand men sufficed to preserve order, and the utmost decorum marked all the proceedings of the Council, though we read that during the session of the Council 500 men disappeared by drowning in the lake.

This vast number of attendants lent splendour and magnificence to all the proceedings, and gave an overpowering sense of their importance. The number of prelates was twenty-nine cardinals, three patriarchs, thirty-three archbishops, about 150 bishops, 100 abbots, 50 provosts, 300 doctors of theology, and 1,800 priests. More than 100 dukes and earls and 2,400 knights are recorded as present, together with 116 representatives of cities. The Pope's suite alone consisted of 600 horsemen, and a simple priest like Hus had eight attendants. The enumeration of such details shows both the pomp and luxury of the age, and also the surprising power of organisation which enabled a little city like Constance, whose ordinary population cannot have exceeded 7,000, to accommodate so vast a multitude.

Sigismund accepts the policy of D'Ailly.

The Council awaited Sigismund's arrival before deciding what business was first to be taken in hand. John XXIII. and the Italians wished to begin with the condemnation of Wyclif's opinions and the trial of Hus; the French, headed by Peter

[1] There is naturally a difference in the computations. The fullest is in Von der Hardt, V. part ii. 11, &c., from Dacher. See too Reichental.

[2] See Dacher's account of his census in Von der Hardt, V., *Prolegomena*, 20; he counted up 700, and then begged to be excused the unpleasant task. One MS. given in p. 51 *l.c.* puts down 'xvc. meretrices vagabundæ.' The same document contains the following entries:—'Item dicitur quod una meretrix lucrata est viiic florenos.

'Item quidam civis Constantiensis vendidit uxorem suam Cancellariis Regis pro vc ducatis, pro quibus pecuniis emit domum.

'Item dicebatur quod plus quam vc homines de nocte in lacu submersi sunt.'

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d'Ailly, wished to take in hand first the restoration of unity to the Church. In an Advent sermon, preached before Sigismund's arrival,[1] on the text, 'There shall be signs in the sun, and in the moon, and in the stars,' D'Ailly defined clearly the position and duty of the Council. The sun, he explained, represents the Papal majesty, the moon the Imperial power, the stars the different orders of ecclesiastics: in this Council all come together to represent the Universal Church. There must be one good Pope who lives rightly and governs well, not three in impious mockery of the Trinity: the Emperor with clemency and justice must carry out the decrees of the Council; the clergy, summoned by the Pope, must assist him with their wisdom. Three things are to be done. The past must be amended—that is, the Church must be reformed—the present must be duly ordered by attaining unity, and provision must be made for the future by wise precautions. Such was the policy which D'Ailly advocated with all his zeal and learning. He laid it down that there could be no real union without reformation, and no real reformation without union.

Reception of the ambassadors of Benedict XIII. and Gregory XII. January 1415.

Sigismund at once fell in with D'Ailly's policy, and his first steps showed that he wished to proceed first with the restoration of unity. On December 29 he laid before the Council a statement of his embassies to Gregory XII., to Benedict XIII., and to the King of Aragon, and asked the Council to wait for the arrival of their envoys. On January 4, 1415, the question was discussed whether the envoys of the anti-popes were to be received as cardinals or no. John's faction strongly opposed the concession by the Council of any such distinction to the envoys of those who had been deposed at the Council of Pisa. Peter d'Ailly, true to his principle of proceeding with all possible gentleness, and throwing no hindrances in the way of a union, succeeded in carrying his point that they should be received in their cardinals' hats. This was a severe blow to John XXIII., and showed him that he had not much to expect from Sigismund's help. On January 12 the ambassadors of Benedict

[1] Von der Hardt, i. 436, dates this sermon 1417: the contents show that this date is clearly wrong, as the sermon was preached soon after the opening of the Council in 1414. Other writers have regarded it as preached immediately after Sigismund's arrival, but Tschackert (*Peter von Ailli*, Appendix, 47) publishes a sermon preached on All Saints' Day 1416, in which this one is referred to as 'sermo de adventu domini,' *i.e.* it was preached in Advent 1414.

and Aragon proposed that Sigismund should advance to Nice, and there confer with Benedict and the King of Aragon about means to end the Schism; to this request no answer was given at the time. On January 25 Gregory's ambassadors were honourably received by Sigismund and the Council, as they were under the protection of Lewis of Bavaria, who next day presented a memoir undertaking, on behalf of himself and Gregory's adherents, to procure Gregory's abdication, and themselves join the Council, provided John did not preside, and Gregory was invited to attend. To this John's partisans answered that the abdication of Gregory and Benedict, according to the provisions of the Council of Pisa, was desirable, but that the question of John's presidency could not be discussed, as he was the lawful Pope whom all were bound to obey, and he was willing to labour with all his power for the reformation of the Church.

Canonisation of S. Briget. February 1, 1414.

John XXIII. felt that the toils were closing round him. He had not been present at the assemblies for some time, but he was carefully informed of everything that passed. He was glad to find an opportunity of making a public appearance, and preside at the solemn ceremony of the canonisation of a saint. A Swedish lady, Briget, who instituted a new monastic order and died at Rome in 1373, had been canonised already by Boniface IX. But as this had occurred during the time of the Schism, the representatives of the northern nations were desirous of having the authenticity of their countrywoman's title placed beyond dispute. The canonisation took place on February 1. A Danish archbishop, after mass was over, raised a silver image of the saint to popular adoration: the 'Te Deum' was raised by those present, and the day closed with splendid festivities.

Memoir of Cardinal Filastre.

But ceremonies and festivities did not prevent the expression of what everyone had in his mind. It was clear that the union of the Church could only be accomplished by the resignation of all the three Popes, and the offer of Gregory's abdication brought forward prominently the desirability of John's resignation as well. The first to break the ice and venture to express the general idea was Guillaume Filastre, a learned French prelate whom John had made cardinal. Filastre circulated a memoir in which he pointed out that the surest and quickest means of procuring union was the mutual abdication of all three Popes; if this were so, John XXIII. was bound to

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adopt that method; for if the Good Shepherd would lay down His life for His sheep, much more ought the Pope to lay down his dignities. If he was bound to do so, the Council might compel him to do so; but he should first be asked humbly to adopt this course, and should be assured of an honourable position in the Church if he complied. Sigismund expressed his approval of this memoir, which was largely circulated, and soon reached the Pope, who had not expected to be attacked by his own Cardinals, and was greatly enraged. Filastre, however, put on a bold face, visited the Pope, and assured him that he had acted to the best of his knowledge for the good of the Church. Filastre's memoir drew forth several answers, urging that the course which he proposed destroyed the validity of the Council of Pisa, and that it was unjust to rank a legitimate Pope with men who had been condemned as schismatics and heretics. In a matter of so great delicacy it was judged wise to proceed by means of written memoirs, and not to enter upon a public discussion till considerable unanimity had been obtained. Peter d'Ailly again came forward to defend the original scheme of the University of Paris and remove by subtle arguments founded on expediency the formal objections urged against John's resignation. He recognised John as the lawful Pope, and allowed the validity of all that had been done at Pisa; but, he argued, the adherents of Benedict and Gregory do not agree, and all the arguments in favour of promoting union by voluntary abdication, which were urged at Pisa, apply with still greater force when there are three Popes instead of two. In the proposal for John's abdication, he is not ranked with the Popes who were deposed, but is set above these by being summoned to perform an 'act which is for the good of the Church. If he refuse, the Council, as representing the Church, may compel him to lay aside his office, though no charge be made against him, simply as a means of effecting the unity which the Church longs for.'[1]

Question of right of voting in the Council.

John XXIII. now clearly saw the issue which lay before him, but he still had hopes of escaping. Memoirs might be circulated

[1] These documents are all given in Von der Hardt, II. part viii. The position of the Pope as a minister, not the master of the Church, is emphatically declared. 'Ecclesia universalis . . . potest quemlibet, etiam *summum* ejusdem Ecclesiæ *ministrum*, per cujus persistentiam status universalis Ecclesiæ turbaretur, . . . etiam sine culpa ministri, amovere,' p. 223.

and discussions carried on amongst the theologians assembled in Constance, but when matters came to voting he would be safe. He had spent money freely to secure votes: the crowd of needy Italian prelates were all dependent on him; he had created fifty new bishops with a view to their votes in the Council. John's adversaries saw this also, and boldly raised the question who had the right to vote. According to old custom there was no doubt that this right had been exercised only by bishops and abbots, and John's adherents demanded that the old custom should be followed. But D'Ailly answered, with his usual learning and clearness of judgment, that in the most ancient times, as may be found in the Acts of the Apostles and Eusebius, the object was to represent in councils the Christian community; only bishops and abbots voted because they were thoroughly representative. At present priors and heads of congregations had a greater right to vote than titular abbots who represented no one. Moreover doctors of theology and law were not heard of in old times, because there were no universities; they ought now to be admitted, as they had been at Pisa, on account of their position as teachers and representatives of learning. Also, as the question under discussion was the unity of the Church, it was absurd to exclude kings and princes, or their ambassadors, since they were especially affected. Filastre went further than D'Ailly. He demanded that all the clergy should be allowed to vote. 'An ignorant king or bishop,' he said, 'is no better than a crowned ass.' He urged that the status of all priests was the same, though their rank might differ. This extremely democratic view did not meet with much favour, and D'Ailly's suggestions were practically adopted by the Council.

Division of the Council into nations.

Moreover the large crowd of Italians, dependent on the Pope, possessed a numerical superiority which was out of proportion to the interests which they represented. From the beginning of the Council the Germans and English showed a disposition to consult with their fellow-countrymen and disregard the Italians. The idea gradually sprang up that it would be well to adopt in the Council the same system as obtained in the universities and organise themselves by nations. Sigismund declared himself in favour of this suggestion, and the German and English nations proceeded to constitute themselves without any definite permission from the Council.[1] On February 24

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the envoys of the University of Paris, who had just arrived, were received by Sigismund in a congregation of the German nation, and were exhorted to organise themselves after the model of the English and Germans, which they at once agreed to do. The Italians for a time resisted, but events were too strong for them, and they were driven in a month's time to adopt the same method or lose all voice in the questions concerning John XXIII. Henceforth every matter was first discussed by each nation separately, and their conclusions were communicated to one another. When by this means an agreement had been reached, a general congregation of the four nations was held, and their conclusions were put into a final shape. A general session of the Council then gave formal validity to the decree.

Proposal of John XXIII.'s abdication. February 16, 1415.

John XXIII.'s hopes of being able to lead the Council were now entirely frustrated; he had to consider how he might best escape destruction. The plan of a common abdication of all three Popes had been proposed, and as John was preparing to resist it, his courage was entirely upset by hearing that a memoir had been circulated by some Italian, containing a list of his crimes and vices, and demanding that an enquiry be instituted into the truth of the charges. Doubtless John's life had not been such that he would wish its details to be exposed in the eyes of assembled Christendom. He had done many things that ill befitted a priestly character, and enough could be substantiated against him to make the blackest charges seem credible on very slight evidence. John was entirely unnerved at the prospect; he consulted with his Cardinals whether he had not better at once confess to the Council the frailties from which, as a man, he had not been exempt. They advised him to wait a while and think over it before committing himself. John's

[1] Most writers, following Von der Hardt, ii. 40, say that on February 7 the nations were constituted by a decree of the Council; but the Acts of the Council contain no such decree, and on February 24 Sigismund exhorted the ambassadors of the University of Paris: 'ut se nostræ nationi et nationi Anglicæ conformarent' (Hardt, ii. 237). An extract in Hardt, ii. 231, says 'diu in his quæstionibus Concilium pependit'; again the 'Disputatio Gallorum contra Anglos,' in Hardt, v. 67, says 'ad obviandum dissolutioni, se per nationes congregaverunt. . . . *nullo tamen decreto Concilii* nullaque ordinatione intervenientibus.' In fact, the division into nations seems to have settled itself. See Tschackert's note, *Peter von Ailli*, p. 206.

relief was great when he heard that many of the English and Germans opposed an enquiry into his character from a wish to spare the reputation of the Papacy, and advocated that he be urged to abdicate. In a congregation of the English, French, and German nations, held on February 16, it was agreed to request John to abdicate, as the surest and speediest way towards union.

John XXIII. promises to abdicate. March 1, 1415.

John at once accepted their request; but he hoped to do so in terms so vague as to lead to no results. His first schedule was rejected as too dubious in meaning. The second met with no better success, as it indulged in needless condemnation of Gregory and Benedict as heretics. The Germans passed a series of strong resolutions which pressed hard upon John XXIII. They declared that the Council had supreme authority to end the Schism, and that John was bound under the penalty of mortal sin to accept a formula of resignation offered by the three nations. On February 28 the formula was drawn up. In it John was made to 'undertake and promise' to resign, if, and as far as, Gregory and Benedict did the same. The representatives of the University of Paris suggested that this only imposed a civil obligation, which it would be well to strengthen by a religious one; they proposed the addition of the words 'swear and vow,' which were unanimously accepted.[1] On March 1 this formula was presented to the Pope in the presence of Sigismund and deputies from the nations. John XXIII. received it with a good grace; first he read it to himself, and then, remarking that he had only come to Constance for the purpose of giving peace to the Church, read it aloud with a clear voice. Tears of joy streamed down many faces at the accomplishment of this first step towards the union of the Church; the assembled prelates raised the 'Te Deum,' but more wept than sang and many did both. In the city the bells rang joyously, and the utmost delight prevailed at this first result of the Council, which had sat four months and had achieved nothing. Next day John XXIII. read the same formula publicly in the cathedral; at the solemn words of promise he bowed before the altar and laid his hand upon his breast. Sigismund rose from his throne, laid

[1] The formula ran 'Profiteor, spondeo et promitto, juro et voveo' (Von der Hardt, ii. 240).

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aside his crown, and kneeling before the Pope kissed his foot in token of gratitude. The Patriarch of Alexandria thanked him in the name of the Council.

Doubtful attitude of John XXIII.

The unanimity between John XXIII. and the Council seemed to be complete; but when the first outburst of joy was over John's resignation seemed to be too good news to be true. There was a wish to bind him more completely, and it was suggested that he should embody his resignation in a Bull. At first he refused; but Sigismund's influence obtained the Bull on March 7. The Council was anxious to be quite sure of its own position, as it was now in a position to authorise the interview which Benedict's ambassadors had suggested between their master and Sigismund at Nice. When preparations were being made for this purpose it was suggested that John XXIII. should name as his proctors, with full power to resign in his behalf, Sigismund and the prelates who were to accompany him. This was a vital point, on which John XXIII. could not give way: if he did, his chances were entirely lost and his resignation, which was at present only conditional, would be irrevocably accomplished. He adroitly proposed that he should go himself to meet Benedict; but the Council remembered the innumerable obstacles which had been found to prevent the meeting of Gregory and Benedict; nor did they desire to let John leave Constance, lest he should at once dissolve the Council. Mutual distrust blazed up in an instant. Frederick, Duke of Austria, had come to Constance on February 18, and though he studiously avoided the Pope, rumours were rife of an understanding between them, and suspicions were keen. John made a last attempt to soften Sigismund by presenting him, on March 10, with the golden rose, which, according to old custom, the Popes consecrated, when they chose, three weeks before Easter, and presented to kings whom they delighted to honour. Sigismund received the gift with due respect, and bore it in solemn procession through the city; but it was significant that he did not keep it for himself, but offered it to the Virgin in the cathedral.

Sigismund soon showed that he was not moved by this touching mark of Papal affection. Next day, March 11, he presided at a congregation, in which some members spoke of electing a new Pope, after securing the abdication of the three

claimants. The Archbishop of Mainz rose and protested that he could obey no one except John XXIII. Words ran high; the old accusations against John were again brought up, and the assembly dispersed in confusion. It was clear that there was war between Sigismund and the Pope. John XXIII. did not mean to take any steps to accomplish his resignation; Sigismund was resolved to hold him to his promise. As John would not give way, it was clear that he must be purposing to leave Constance. Sigismund gave orders that the gates should be closely guarded. When one of the Cardinals attempted to pass he was turned back. John summoned the great lords and magistrates of the city, and loudly complained to the Council, with good reason, of this violation of the safe-conduct under which they were all assembled. The burgomaster of Constance pleaded Sigismund's orders; Frederick of Austria stood forward and declared that, for his part, he intended to keep the safe-conduct which he had promised. Next day, March 14, Sigismund summoned a congregation of the French, Germans, and Italians, who sent to the Pope a renewed demand that he would appoint proctors to carry out his abdication; they added a request that he would promise not to dissolve the Council or allow anyone to leave Constance till union had been achieved. With these demands Sigismund sent his excuse about the watch over the gate; he said that he had set it at the request of some of the Cardinals, who feared lest the Council should melt away; he wished, however, in all things to stand by his safe-conduct. John agreed not to dissolve the Council, but suggested its transference to some place in the neighbourhood of Nice, where he might more conveniently meet Benedict and perform his resignation in person.

Opposition of the party of John XXIII. March 11–14, 1415.

Matters were now in a very awkward position. Sigismund and the three Transalpine nations stood opposed to the Pope and the Italians. John's resistance clearly indicated an intention of quitting Constance; this made his opponents more eager to deprive him by any means of the power of harming them. In a congregation on March 17 the Germans and English were for insisting on the appointment of proctors by the Pope; but the French were opposed to driving matters to extremities, and voted for adjournment.[1] The French already had had experience of the difficulties in the way of using

The Curial party tries to win over the French. March 17, 1415.

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violence to a Pope; they had also a stronger sense of decorum than the Teutons, and seem to have resented the high-handed way in which Sigismund managed matters. The close alliance between the English and the Germans somewhat annoyed them; for, though the mission of the Council was a peaceful one, national animosity could not be entirely silenced, and the French knew that England was on the brink of waging an unjust war of invasion against their country.

No sooner was there the faintest sign of a breach in the serried front of the Transalpine nations than the Italians hastened to take advantage of it. They sent five Cardinals to detach the French from the English and Germans. Amongst them was Peter d'Ailly, for the Cardinals as Italian prelates formed part of the Italian nation. D'Ailly, who had been the most prominent man in the beginning of the Council, disapproved of the violent and revolutionary spirit which had been developed since Sigismund's arrival. He now used his influence with the French to induce them not to join with the Germans and English in their scheme of forcing the Pope to appoint proctors; he also begged them to withdraw from the method of voting by nations, and advocate the old method of personal voting. Though D'Ailly had argued strongly in favour of extending the franchise, he was not prepared to admit an entire change in the method of voting.

Quarrel between Sigismund and the French nation. March 19, 1415.

The prospect of a union between the French and the Italians enraged still more the Germans and English. At a congregation on March 19 the English proposed that John be seized and made prisoner. Sigismund, followed by the English and Germans, proceeded with this demand to an assembly where the French were sitting in conference with the five Cardinals deputed by the Italians. If the French had before resented Sigismund's conduct, they now blazed up at this unwarrantable interference, and angrily demanded that their deliberations should be left undisturbed. The English and Germans withdrew, but Sigismund and his lords remained. The French demanded that the lords also should withdraw. Sigismund lost his temper, for the majority of those who sat amongst the French were his subjects.[1] He angrily exclaimed, 'Now it will be seen

[1] They used the old formula 'Amplius deliberare se velle.' Ceretanus in Hardt, iv. 57.

who is for union and faithful to the Roman Empire.' Peter d'Ailly, indignant at this attempted coercion, rose and left the room; the other four Cardinals protested that they were not free to deliberate. On the King's departure messengers were sent to ask if the French were to consider themselves free. Sigismund had now recovered his equanimity and answered that they were perfectly free; he had spoken in haste. At the same time he ordered all who did not belong to the French nation to quit their assembly on pain of imprisonment. The quarrel seemed to have become serious; but the ambassadors of the French King, who had arrived on March 5, entered the French assembly and said that the French King wished that the Pope should appoint proctors, and should not leave Constance nor dissolve the Council. This calmed the wrath of the French, who now separated themselves again from the Italians and joined the Germans and English.

Frederick of Austria at Constance.

There now seemed to be no hope for John XXIII., but the sense of his danger at length spurred him to take the desperate step of fleeing from Constance. He had bound to himself Frederick of Austria, a young and adventurous prince, who hated Sigismund, feared the Council, and hoped to gain much from the Pope. He had come to Constance, and there found his pride outraged by the commanding position assigned to Sigismund. He had been called upon by Sigismund to do homage for his lands, and, though at first he refused, was driven to do so by the good terms on which the King stood with the Swiss cantons, the hereditary foes of the Austrian House. He strove to detach Sigismund from the Swiss by making him great offers if he would help him to make war upon the Swiss. But Sigismund was too wily for him, and gave the Swiss information of his proposals; when the Swiss envoys arrived at Constance, Sigismund confronted them with Frederick and offered his services to settle any disputes which might exist between them. Outwitted and filled with shame and rage, Frederick stammered out excuses, and had to arrange matters with the Swiss by pleading that he had been misinformed. But Frederick's humiliation made him burn with desire to upset Sigismund's triumphal progress at the Council. He knew that he would

[1] Letter of the Pope, in Hardt, ii. 257. 'Minor pars dictæ nationis erat subjecta regi Franciæ, et cum tres partes ipsi regi Romanorum essent subjectæ, volebat,' &c.

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not stand alone, and that John XXIII. still had powerful friends. The Duke of Burgundy wished by all means to dissolve the Council; the Archbishop of Mainz was Sigismund's foe and a staunch adherent of John XXIII.; the Markgraf of Baden had been won over to John's side by the substantial argument of a gift of 16,000 florins.

Flight of John XXIII. March 20, 1415.

John and Frederick laid their plans cautiously and skilfully, yet not without awakening some suspicion. Sigismund thought it well to visit the Pope and reassure him. He found him in the evening lying on his bed, and enquired about his health; John answered that the air of Constance did not agree with him. Sigismund said that there were many pleasant residences near Constance where he might go for change of air, and offered to accompany him; he begged him not to think of leaving Constance secretly. John answered that he had no intention of leaving till the Council were dissolved. Men afterwards regarded this answer as framed like an oracle of old; John meant that by his departure he would dissolve the Council.[1] No sooner was the King gone than John, in the hearing of his attendants, called him a 'beggar, a drunkard, a fool, and a barbarian.' He accused Sigismund of sending to demand a bribe for keeping him in his Papal office. Most likely John here laid his finger on Sigismund's weak point; Sigismund was poor, and may have demanded money for the expenses of the Council from the Pope whom he was labouring to drive from his office.[2] John's attendants wondered to hear such plain speaking: their master's tongue was loosened by the thought

[1] Niem in Hardt, ii. 395.

[2] That there were pecuniary transactions between John XXIII. and Sigismund there can be little doubt, but of their exact nature there may be different opinions. Niem's words (*l.c.*) are 'quod de ipso Balthosaro quæret per intermedias personas pecunias sibi tradi ut eum in papatu quomodolibet conservaret,' to which he adds his own comment, 'quod tamen, salva reverentia dicentis omnino caruit et caret veritatis.' On the other hand, an enemy of Sigismund, Johannes de Monterolio, in a letter to the French King (Martene, *Amp. Coll.* ii. 1444), says, 'Novisti Sigismundum Pontificem . . . ex eo quod ducenta millia florenorum ei accommodare, immo dare renuebat, capi fecisse violenter.' Müller, *Geschichte Schweizerischer Eidgenossenschaft*, iii. 28, *note*, quotes a Viennese MS. letter to Sigismund asking him *not to take* the 200,000 florins which John *offered*, as the rich prelates of Germany would grant him more I have given an interpretation of these passages which seems most in accordance with Sigismund's character and situation.

that he would soon be rid of the necessity of the intolerable self-restraint under which he had been lately living.

Next day, March 20, a tournament was held outside the walls, in which Frederick of Austria had challenged the son of the Count of Cilly to break a lance with him. The town was emptied of the throng, which flocked to the spectacle. In the general confusion the Pope, disguised as a groom, mounted on a sorry nag, covered by a grey cloak and a hat slouched over his face, with a bow hanging from his saddle, passed out unperceived. He slowly made his way to Ermatingen, on the Unter See, where a boat was waiting to convey him to Schaffhausen, a town belonging to Frederick. In the midst of the tourney a servant whispered the news into Frederick's ear. He continued the joust for awhile, and gracefully allowed his adversary to win the prize; then he took horse and rode off the same evening to join the Pope at Schaffhausen.

## CHAPTER II.

### DEPOSITION OF JOHN XXIII.

1415.

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Resoluteness of Sigismund after the flight of John XXIII.

GREAT was the tumult in Constance when at nightfall the flight of the Pope became known. The mob rushed to plunder the Pope's palace; merchants began to pack their goods and prepare to defend themselves against a riot; most men thought that the Council had come to an end: the prelates who had spoken against John looked on themselves as ruined; those who were zealous for the reform of the Church saw their hopes entirely overthrown. But Sigismund showed energy and determination in this crisis: he ordered the burgomaster to call the citizens under arms and maintain order, and the Italian merchants saw with wonder the ease with which quiet was restored. Next day Sigismund, accompanied by Lewis of Bavaria, rode through the city, and with his own mouth exhorted all men to quietness and courage; he made proclamation that if John were fled he knew how to bring him back; meanwhile anyone was free to follow him who chose. In a general congregation he held the same language, affirming that he would protect the Council and would labour for union even to death: he accused Frederick of Austria of abetting the Pope's flight, and cited him to appear and answer for his deeds. The College of Cardinals chose three of their number as a deputation to John to beg him not to dissolve the Council, but appoint proctors to carry out his resignation. The same day brought a letter from John to Sigismund. 'By the grace of God we are free and in agreeable atmosphere at Schaffhausen, where we came unknown to our son Frederick of Austria, with no intention of going back from our promise of abdicating to promote the peace of the Church, but that we may carry it out in freedom and with regard

to our health.'[1] The needless lie about Frederick of Austria was not calculated to carry much conviction of the truth of the Pope's promises.

Sermon of Gerson in defence of the Council. March 23, 1415.

Before the departure of the Cardinals, the Council wishing to have a clear definition of their authority, so as not to depend entirely on the influence of Sigismund, requested Gerson, as the most learned theologian present, to preach upon the subject. Gerson's sermon on March 23 laid down the general principles that the Church is united to its one Head, Christ, and that a General Council, representing the Church, is the authority or rule,[2] guided by the Holy Ghost, ordained by Christ, which all, even the Pope, are bound to obey; the Pope is not so far above positive law as to set aside the decrees of a Council which can limit, though not abolish, the Pope's power. The representatives of the University of Paris extended these principles of Gerson, and asserted that the Council could not be dissolved, but might continue itself and invoke the secular arm against all who refused to obey it; some went further than the majority would admit, and asserted that the Council was in all points above the Pope and was not bound to obey him.

Difficult position of the Cardinals.

The Cardinals now found themselves in a difficult position; they did not wish to break with the Council, yet so long as John professed his willingness to abdicate they had not sufficient grounds for shaking off their allegiance to him. They thought it wiser not to be present at Gerson's sermon, though they were informed by Sigismund of its purport, which the three Cardinal deputies, accompanied by the Archbishop of Rheims, communicated to the Pope at Schaffhausen. Meanwhile John had written letters to the University of Paris, the King of France, and the Duke of Orleans, explaining the reasons of his flight. In them he artfully tried to play upon the hatred of the French to the English, and on the French King's jealousy of Sigismund. He complained that the English and Germans had leagued themselves together to carry matters with a high hand, and that Sigismund had tried to make himself master of the Council; for these reasons he had retired to Schaffhausen, but was ready to accomplish his abdication, and wished to

[1] Von der Hardt, ii. 252.

[2] 'Regula a Spiritu Sancto directa, tradita a Christo.' Von der Hardt, ii. 272; and Gerson, *Op.* ii. 205.

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journey through France on his way to meet Benedict. These letters were written to no purpose, as they were only referred back to the Council. On the same day John sent to Constance a peremptory order to all the officers of the Curia to join him at Schaffhausen within six days, under pain of excommunication. Seven Cardinals left Constance next day, and went to Schaffhausen, as did the greater part of the Curia.

The Council pays little heed to the Cardinals.

On March 25 the Archbishop of Rheims returned with letters from the Pope to Sigismund, saying that he had gone to Schaffhausen merely for change of air, not through any fear of danger. He offered to appoint as proctors to accomplish his resignation, in case Gregory and Benedict also resigned, the whole body of Cardinals, or three of them, and four prelates, one out of each nation, of whom three should be empowered to act. But the Council was full of suspicion of John and of his Cardinals; it resolved to go its own way according to the principles laid down by Gerson, and to pay no further heed to the Pope. So strong was the Council that it refused to consider the reasonable difficulties of the Cardinals, who felt themselves bound to hold by John until he openly set himself in opposition to the Council. The Cardinals, like all moderate men who try to guide their conduct by ordinary rules in extraordinary crises, were regarded with suspicion by both sides. They were not summoned to the assembly of nations held on March 26 to prepare decrees which were to be submitted to a session of the Council on the same day; the resolutions were only handed to them to read over before the session of the Council opened. They demanded that the session be deferred till the return of their envoys from the Pope; they were told that Sigismund and the Council were weary of subterfuges.

Wise conduct of Cardinals d'Ailly and Zabarella. March 26.

They were in sore perplexity; a wave of revolutionary spirit threatened to sweep away Pope and Cardinals at the same time. It seemed to some sufficiently dreadful that a session of the Council should be held without the Pope; though for this at least the precedent of the Council of Pisa could be claimed. But it was an unheard of innovation that the Council should meet in spite of Pope and Cardinals; the exclusive aristocracy which had been willing to weaken the monarchical system of the Church found that its own position was almost lost as well. Some of the Cardinals at once retired to John; many thought

it wise to pretend illness and watch how events turned out; only two determined to make a last effort to save the dignity of the Cardinals from the violence of the Council. Peter d'Ailly and Zabarella presented themselves at the session and succeeded in obtaining the respect due to their rank. D'Ailly celebrated the mass and presided; Zabarella read the decrees, which affirmed that the Council had been duly summoned to Constance, was not dissolved by the Pope's flight, and ought not to be dissolved till the Schism was ended and the Church reformed; meanwhile the Council would not be transferred to another place without its own assent, nor should prelates leave the Council till its work was done. A loud cry of 'Placet!' followed the reading of these decrees. Then Zabarella went on to read a protest in behalf of himself and D'Ailly, saying that so long as John laboured for the peace of the Church they must hold by him; they could have wished that this session had been deferred, but, as the Council determined otherwise, they thought it right to be present, in the hope that what was done would be confirmed by the Pope. The skilful and courageous behaviour of the two Cardinals saved the prestige of the Sacred College, and prevented an irrevocable breach between the Council and the old traditions of the Church, which would have strengthened the hands of John XXIII.

Increasing distrust of John XXIII. at Constance. March 27–28, 1415.

On the same evening the envoys of the Cardinals returned from Schaffhausen, and next day, March 27, before a general congregation, reported the Pope's offer to appoint the Cardinals as his proctors, so that two of them could carry out his resignation, even against his will; he promised not to dissolve the Council till there was a perfect union of the Church; he demanded security for his own person and indemnity for the Duke of Austria. But the Council was too suspicious of John to trust to any fair promises, nor did the attitude of the Cardinals who had come from Schaffhausen tend to confirm their confidence. In the discussion that followed some of them ventured to hint that the Pope's withdrawal had dissolved the Council; they were angrily answered that the Pope was not above the Council, but subject to it. The suspicions entertained against the Cardinals were increased by the fact that a copy of John's summons to his Curia to attend him at Schaffhausen, had been posted on

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the doors of the cathedral of Constance, clearly at the instigation of some of the Cardinals who had returned from visiting the Pope. The publication next day, March 25, of a prolongation of the period within which they were bound to leave Constance, only increased the irritation of the Council. Congregations of the nations set to work busily to frame decrees establishing the authority of the Council without the Pope; and the Cardinals, in alarm, saw the opinions of the most advanced advocates of the reforming party being adopted with enthusiasm by the entire Council. In vain they endeavoured to arrest the current of opinion by offering new concessions on behalf of the Pope; Sigismund should be joined as proctor to the Cardinals, and the summons to the Curia to leave Constance should be entirely withdrawn. It was too late; the distrust of John XXIII. and the Cardinals was too deep-seated and had been too well deserved. Under the excitement of the last few days the Council had risen to a sense of its own importance and was determined to assert itself in spite of Pope or Cardinals.

John XXIII. protests against the Council. March 29, 1415.

John XXIII., who was kept well informed of what was passing, grew alarmed at the turn which affairs were taking. Before the Council had asserted its power he thought it wise to remove himself to a more secure spot than Schaffhausen. The position of Frederick of Austria seemed precarious. The Swiss Confederates were preparing to attack him; many of his own vassals renounced their allegiance; Schaffhausen would not be safe against an attack. So on March 29, on a rainy day, John left Schaffhausen. Outside the gate he paused, and caused a notary to draw up a protest that all his oaths, vows, and promises made at Constance had been drawn from him through fear of violence; then he galloped off to the strong castle of Lauffenberg, some thirty miles higher up the Rhine. He did not take with him even the Cardinals who were at Schaffhausen, and they returned ignominiously to Constance, where they were received with decorous contempt. John had now thrown off the veil and justified the suspicions of his adversaries. His policy of chicanery and prevarication had been baffled by the resolute attitude of the Council, and he was driven at last to try the chances of open war.

The Cardinals still desperately strove to check the alarming advance of the pretensions of the Council. They saw, and saw

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Decree of the fourth session. March 30, 1415.

rightly, that an unmodified assertion of the supremacy of a General Council over the Pope meant the introduction of a new principle into the existing government of the Church. They threatened to absent themselves from the session to be held on March 30, unless the articles to be proposed were modified. Sigismund offered to lay their views before the nations, and gave them vague hopes that some slight changes might be made. They prevailed on the French ambassadors and the deputies of the University to join with them in begging Sigismund to lay aside his intention of making war on Frederick of Austria; but Sigismund was inexorable. After much anxious deliberation all the Cardinals who were in Constance, except Peter d'Ailly and the Cardinal of Viviers, presented themselves at the session held on March 30. Cardinal Orsini presided; Sigismund appeared in royal robes, accompanied by several lords and about two hundred fathers. The decrees were given to the Cardinal Zabarella to read. They set forth that 'This Synod, lawfully assembled in the Holy Ghost, forming a General Council representing the Catholic Church Militant, has its power immediately from Christ, and all men, of every rank and dignity, even the Pope, are bound to obey it in matters pertaining to the faith and the extirpation of the present schism.'—So far Zabarella read; but seeing that the words went on,—'and general reformation of the Church of God in head and members,' he paused, and saying that they were contrary to general opinion, omitted them, and passed on to the next decrees, declaring that the Pope could not dissolve the Council, and that all acts done by him to the detriment of the Council should be null and void. The Cardinals were willing to admit the supremacy of the Council over the Pope for the immediate purpose of ending the Schism, but they were not willing that it should extend to the matter which more closely concerned themselves, that of the reformation of the Church. In the tumult that followed his omission of the words of the decree it was not sure how much he read afterwards. The session broke up in confusion, and the wrath of the Council against the Cardinals blazed higher. A memoir presented next day by Benoit Gentien, one of the deputies of the University of Paris, attacked them in no measured language. They had been in league with the Pope against the Council; many of them had followed him to Schaff-

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hausen, and had only returned because they were not satisfied with the cookery there.[1] Their character might be seen by that of the Pope whom they elected—a tyrant, a homicide, a Simoniac, steeped in unmentionable vices. If they chose him as being the best among their number, what was to be thought of the rest?

Re-enactment of the decree in the fifth session. April 6, 1415.

Yet the Council behaved with dignity. It named deputies to confer with Zabarella, but it refused to reconsider the decrees themselves. On April 6 another session was held, in which the former decrees were again submitted and approved, on being read by the Bishop of Posen, with two additions—that anyone refusing to obey the decrees of the Council might be punished, and that John XXIII. had enjoyed full liberty while at Constance. This last decree was an answer to John's plea on leaving Schaffhausen, that he had fled from Constance through fear of violence. On this point his cunning had overreached itself, as the moral force which a plea of coercion might have possessed was lost by his first excuse, that he left for the sake of change of air. He published a further allegation on April 7, that he fled lest the obvious violence to which he was exposed at Constance might afford a pretext to Gregory and Benedict for withdrawing their offers of resignation. John XXIII. was much too plausible, and failed entirely to see that he could not establish his moral character in the face of Europe by putting forward pleas which no one could profess to believe.

Discomfiture of Frederick of Austria by the Swiss.

John was soon driven to feel his helplessness. On April 6 the Council besought Sigismund to bring back the Pope to Constance; on April 7 the ban of the Empire was issued against Frederick of Austria, and the excommunication of the Council was pronounced against the disturber of its peace. The hope of booty made many willing to carry out the behests of the King and the Council. Frederick, Burggraf of Nürnberg, led an army into Swabia, where strong towns fell before him. Schaffhausen, too weak to endure a siege, at once submitted to Sigismund. Another army was gathered from Bavaria and overran the Tyrol. Still Frederick of Austria might have held out securely if the Swiss had maintained neutrality, as at first they intended to do in accordance with a fifty years' peace which

[1] In Von der Hardt, ii. 281. 'Et quia non repererunt coquinam bonam, aliqui misere et verecunde reversi sunt.'

they had made with Austria in 1412. But Sigismund urged that an engagement was not binding in the case of an excommunicated man; he held before them the prospect of increase of territory at Frederick's expense; he promised to make no peace with Frederick that did not guarantee their safety. The fathers of the Council added a threat of excommunication if they did not lend their aid to the cause of the Church. Then the scruples of the Swiss were overcome; they poured their levies into the Austrian possessions and advanced victoriously to the walls of Baden. On another side the Pfalzgraf Lewis overran Elsass; Frederick of Austria, in Freiburg, where he had fled for safety, received nothing but messages of calamity. John XXIII. himself went to Freiburg on April 10, and was convinced that he could gain aid from the Duke of Burgundy. He strove in vain to encourage Frederick to hold out till succours came; he placed all his treasure at Frederick's disposal, promised him the aid of Italian condottieri, held out hopes of help from Venice and Milan, if Frederick would but resist for a time. But Frederick's spirit was broken; he thought only of making his peace on any terms with Sigismund, and regarded John's person as a valuable pledge by which he might appease the storm which he had drawn upon his own head.

Proceedings against John XXIII. April 17, 1415.

Meanwhile the Council went its way with stately decorum. On April 17 a general session approved a letter addressed to all the kings and princes of Europe, recounting the circumstances of the Pope's flight, dwelling upon his entire freedom of action at Constance, lamenting the fortunes of the Church under such an unworthy shepherd, and announcing the intention of the Council to send envoys to demand John's return. The Council appointed as its envoys Cardinals Filastre and Zabarella, and drew up a document for John to sign, appointing proctors to carry out his resignation; John was to be required within two days to return to Constance, or take up his abode at Ulm, Ravensburg, or Basel, till his resignation were accomplished. In this session also the ill-concealed hatred of the Council against the Cardinals found expression in a proposal to exclude them from the sittings of the Council. A French prelate, probably Benoit Gentien,[1]

[1] This is Von der Hardt's conjecture (iv. 120), from the similarity between the arguments in this document (ii. 285) and the former memoir of Gentien on March 30 (ii. 280).

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read a memoir to this effect, arguing that if the object of the Council were the reformation of its head and members—*i.e.* the Pope and the Cardinals—the Cardinals ought not to be judges in their own cause; by their election of John XXIII. they had sufficiently scandalised the Church, and had shown themselves ready to aid him in thwarting the Council. No conclusion was come to on this point, but we see how high feeling must have run by the fact that the Council found it necessary to forbid the publication of libellous or defamatory documents under pain of excommunication.

Discussion of the claims of the Cardinals. April 18–May 25, 1415.

Next day, April 18, the Cardinals presented a series of propositions affirming the authority and headship of the Roman Church over a General Council. Even over the Universal Church the Roman Church, or the Pope, has authority immediately from God as much as a General Council; indeed, the Roman Church forms the principal part of a General Council, over which the Pope presides, and in his absence the Cardinals; without the assent of the Roman Church, nothing could be decided by a Council. The theologians set themselves to answer this document clause by clause, but we see that they were hard pressed in doing so. Throughout the discussions of the last thirty years the arguments in favour of a Council had owed their force to the Schism and its evils, had been founded on a plea of present necessity. But the arguments against schismatic Popes lost much of their power when applied to the united College of Cardinals. The advocates of the Council had been enabled to set up the claims of the Universal Church against those of the Roman Church, because the unity of the Roman Church was destroyed by the doubt as to its head. But no one ventured to impugn the validity of the position of the College of Cardinals, and when they asserted themselves as the rightful representatives of the Roman Church, and took their stand upon its privileges, the theologians of the Council were in a strait. They answered the pleas of the Cardinals hesitatingly, rather carping at the expressions used than venturing to attack the conclusions. The Church of Rome, they admit, is head of all the Churches, yet not for the sake of nourishing schism; there is a difference between a Council summoned to decide matters of faith and one summoned to extinguish a schism caused by the Cardinals themselves; whatever power the Cardinals might have in the

first case, they ought not in the second case to judge their own cause.[1] We see in this the weakness of the Conciliar argument. Taking advantage of a disputed succession in the Papal monarchy, it attempted to raise, in a time of anarchy, a cry for a representative system in the government of the Church. Against the distracted monarchy it could make good its position; but when the nobles of the Court asserted in their own defence the principles on which the monarchy was founded, the advocates of the representative system did not dare directly to dispute them. The Council did not decree the exclusion of the Cardinals; but practically they were rendered powerless by the fact that the conclusions of the assemblies of the nations were only handed to them a short while before the sessions of the Council, so that they had no time to influence the final decisions. On May 2 they demanded the power to organise themselves like the nations, urging that the English nation was only represented by twenty. The Council, however, refused, and bade them each join their own nation. Finally, at the session on May 25, we find the College of Cardinals ranking by the side of the nations, though the understanding between them was never cordial.

Helplessness of John XXIII.

On April 19 the Cardinals Filastre and Zabarella left Constance to bear the Council's proposals to John XXIII. They found that he had left Freiburg for Breisach, still holding to his plan of drawing nearer to the territory of the Duke of Burgundy, who he hoped would send an escort to conduct him to Avignon. But, with the fate of Frederick of Austria before his eyes, John of Burgundy hesitated to incur the hostility of the Council. John XXIII. remained at Breisach, where the envoys found him on April 23, and laid before him the Council's

[1] See the document in Von der Hardt, ii. 286. The answer of the Council is appended to each conclusion of the Cardinals. The first may serve as a sample of the difficulty which the theologians felt. '*Prima Conclusio ex parte Papæ.* Romana Ecclesia, secundum Canonicas Sanctiones Christi traditioni conformes, omnium Ecclesiarum mater est et magistra: et oppositum dicere est hæresis implicita. *Responsio Concilii.* Tamen non est (*i.e.* oppositum dicere) errare seu peccare in aliquam articulam Catholicæ fidei in Symbolo comprehensam.' We here find hinted a principle which was enough, if carried out, to overthrow the supremacy of Rome; yet none of those who urged this plea was prepared to attach any real weight to it. The next 'Responsio in answer to the claim 'Romana Ecclesia caput omnium Ecclesiarum est,' says 'Hoc concedatur.'

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demands. John promised to answer them next day; but next day they learned with astonishment that he had fled in the early dawn to Neuenburg. The envoys accordingly retraced their steps to Freiburg, where, to their surprise, they again found the Pope on April 27.

John XXIII.'s course was now run. Frederick of Austria had taken the first steps towards reconciliation with Sigismund, and knew that for this purpose he must be prepared to hand over John XXIII. John was accordingly summoned by Frederick to take refuge in Freiburg for greater safety, and with a heavy heart was compelled to obey. There he had to listen again to the demands of the envoys of the Council, and sullenly answered that he would send his proctors in a few days. On the return of the legates to Constance, April 29, it was resolved to cite John to appear. Next day Frederick of Austria came humbly to Constance to beg Sigismund's forgiveness, and John's proctor, bearing his demands and reservations, was not thought worthy of notice.

Submission of the Duke of Austria. May 5, 1415.

The Council was now omnipotent, and determined to give John XXIII. no quarter. In a session on May 2 a citation was issued summoning him to appear and answer charges of 'heresy, schism, simony, maladministration, waste of Church property, and scandals caused to the Church by his life and character.' On May 4 the citation was affixed to the gates of Constance, and next day the humiliation of Frederick of Austria before Sigismund gave the Council a foretaste of its triumph. In the refectory of the Franciscan monastery Sigismund sat on his throne surrounded by deputies of the four nations and the ambassadors of the Italian States who were present in Constance. The Duke of Austria was introduced as a humble suppliant by Frederick of Nürnberg, and Lewis of Bavaria, who, in his behalf, supplicated for pardon, and submitted his lands and person to the royal grace. Sigismund asked Frederick if he assented to this prayer; on bended knee, with broken voice, Frederick repeated his request for mercy. Sigismund raised him from his knees, saying, 'I am sorry that you have brought this upon yourself.' Then Frederick swore fealty to Sigismund, resigned his lands into Sigismund's hands to hold at his good pleasure, promised to bring back Pope John to Constance and to remain as hostage till his promises were fulfilled. The heart of Sigis-

mund swelled with pride at his triumph; turning to the Italian ambassadors, he exclaimed, 'You know what mighty men the Dukes of Austria are; see now what a German king can do.' It was a pardonable boast, and Sigismund deserved a triumph for his skill in seizing the opportunity of raising the dignity of the Empire on the weakness of the Church.

Articles against John XXIII. May 1415.

The Council did not entirely trust to Frederick's power of bringing John to Constance. On May 9 the Burggraf of Nürnberg, with 300 armed men, escorted to Freiburg, envoys of the Council who begged John to return. John put a good face on the matter, and professed his readiness, but took no steps beyond sending a secret commission to the Cardinals d'Ailly, Filastre, and Zabarella to act as proctors in his defence. After some hesitation they refused to act on his behalf; and the Council, in session on May 13, ruled that the citation had been addressed to him in person, and that he was bound to appear himself. Next day he was condemned for contumacy, and was declared suspended from the Papal office. Commissioners were appointed to examine witnesses and draw up charges against John, and they were not long in discharging their office. A terrible list of seventy articles was drawn out against John, though these were for very shame reduced to fifty-four before they were laid before the Council. They covered John's whole life and left him no shred of virtue, no vestige of reputation. From the days of his youth he was steeped in vice, of evil disposition, lying, disobedient to his parents; each step in his career had been gained by underhand means; he had poisoned his predecessor, had despised the rites of religion like a pagan, was an oppressor of the poor, a robber of churches, stained by carnal indulgences, a vessel of every kind of sin. Beside these general terms of abuse the specific charges against him range from incest to an offer to sell to the Florentines the sacred relic of the head of John the Baptist, belonging to the Monastery of S. Silvestro at Rome.[1] Amidst this overwhelming mass of accusations there is only one thing of which we feel

[1] The tone of these articles may be judged by the following (Art. 9): 'Item quod Dominus Joannes Papa cum uxore fratris sui et cum sanctis monialibus incestum, cum virginibus stuprum et cum conjugatis adulterium et alia incontinentiæ crimina, propter quæ ira Dei descendit in filios diffidentiæ, commisit, et de his graviter et publice diffamatus et scandalisatus est palam et publice.'—Von der Hardt, iv. 197.

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convinced, that John certainly had the power of inspiring deep animosity.

John XXIII. prisoner at Radolfszell. May 1415.

Meanwhile John himself was brought by Frederick of Nürnberg to Radolfszell, eight miles from Constance. He refused to go any further; his spirit was broken, and he was only anxious to escape the shame of a personal humiliation. He was accordingly left at Radolfszell, strictly guarded. On May 20 envoys of the Council announced to him his suspension from the Papacy, and demanded the insignia of his office, the seal and the fisherman's ring. John submitted with tears and expressions of contrition. On May 25 the articles against John were laid before the Council, with a statement of the number and nature of the witnesses on each head. They received the solemn approval of a proctor nominated by each nation. The Council was terribly unanimous; even the contest with the Cardinals was laid aside, and the College at last was allowed to organise itself as a nation, for we find the Cardinal of Viviers acting as proctor to convey the assent of the College.[1] Five Cardinals were sent to announce to John that his deposition was imminent. John did not trust himself to reply in words, but handed them a writing, in which he declared that he was willing to submit to the Council in all things, and would not object to its decision, whatever it might be; he only asked them to respect his honour and person.

Deposition of John XXIII. May 29, 1415.

The Council was gratified by this unqualified submission, but thought it well to take all precautions. Next day five commissioners were sent to carry to John the articles on which he was accused, and summon him to answer in person if he thought fit. John refused to read the articles, and repeated his previous answer, that he submitted to the Council, which could not err; in its infallibility was his one defence;[2] he only asked that his honour be spared as much as possible. He sent a letter to Sigismund, 'his only hope after God,' reminding him of their past relations, begging him 'by the bowels of

[1] Von der Hardt, iv. 256. 'Et primo Dominus Johannes Episcopus Ostiensis pro Collegio et se ipso, quod placeret, Archiepiscopus Mediolanensis, pro natione Italica,' &c. Though no mention is made of the recognition of the claims of the College to form a separate member of the Council, yet we find them now allowed, though they had been refused so lately as May 2.

[2] 'Volo quod concilium sit defensio mea, quod scio errare non posse.'—Relation of the Commissioners, Von der Hardt, iv. 275

compassion of Jesus Christ to be mindful of your plighted word, by which you gave us hope,' and entreating him to use his influence with the Council on the side of mercy. John's submission disarmed the extreme bitterness felt against him, and the sentence of deprivation pronounced against him on May 29 was couched in much milder terms than the articles would have warranted. It set forth the evils with which John's flight from Constance had threatened the unity of the Church, and then proceeded, 'Our Lord Pope John was moreover a notorious simoniac, a waster of the goods and rights not only of the Roman Church but others, an evil administrator both of the spiritualities and temporalities of the Church, causing notorious scandal to the Church of God and Christian people by his detestable and unseemly life and manners, both before and since his accession to the Papacy.' In spite of frequent monitions he persisted in his evil course, and therefore is now deposed as 'unworthy, useless, and harmful;' all Christians are freed from their allegiance, and are forbidden to recognise him any longer as Pope. After the deposition of John care was taken for the future by a decree that no new election should be made, in case of vacancy, without the express consent of the Council, and that none of the three contending claimants should be re-elected. A solemn procession of the whole Council round the city of Constance celebrated this final assurance of their triumph. The deposed Pope, now called once more by his former name of Baldassare Cossa, was brought for safe keeping into the strong castle of Gottlieben, close to Constance. But there was a suspicion that some discontented spirits had again opened correspondence with him; and Sigismund handed him over to the custody of the Pfalzgraf Lewis, who held the office of Protector of the Council. Lewis sent him to the Castle of Heidelberg, where he remained so long as the Council sat, attended only by Germans, whose language he did not understand and with whom he communicated only by signs.

Character of John XXIII.

Thus fell John XXIII., undefended and, it would seem, unpitied; nor has posterity reversed the verdict of the Council. Yet it is difficult not to feel that John XXIII. had hard measure dealt to him in the exceptional obloquy which has been his lot. Elected to the Papacy in return for his signal services in the Council of Pisa, he was ignominiously deposed by the Council

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which claimed to be a continuation of that of Pisa. Here, as elsewhere, the revolution swallowed up its own child, and John's character has met with the fate which always befalls those whom everyone is interested to malign and no one is interested to defend. In his early career he established his reputation for courage and political sagacity by his administration of Bologna; but his capacities were those of a soldier of fortune, and few looked upon him seriously as a priest. As the chief man in North Italy he had it in his power to dispose of the fortunes of the Council of Pisa, and the Cardinals could scarcely help rewarding him for his services by the gift of the Papacy. But in his exalted position everything went amiss with John, and his entire want of success in Italian affairs compelled him, sorely against his will, to appeal to the sympathies of Christendom. His previous training in a life of military adventure made him light-hearted in running into danger; his entire ignorance of the religious feeling of Europe made him utterly unable to cope with his danger when once it gathered round him. It was one thing to play off against one another condottieri generals and win by trickery the towns of Forlì and Faenza; it was another thing to guide the deliberations of an assembly of theologians profoundly convinced of their own powers. John had neither learning nor moral character to enable him to hold his own in the face of the Council. He had nothing but intrigue, which he managed so ill as to make it impossible for anyone to hold by him through respect for the Papal dignity. Betrayed first by Sigismund and then by Frederick of Austria, he lost all self-command and self-confidence. When force of character rests neither upon moral nor intellectual principles, it rapidly decays under adverse circumstances. When John found that his first endeavours to manage the Council were unsuccessful, he began to lose his nerve and then blundered more and more lamentably. The Council took advantage of each of his mistakes, and drove him remorselessly from point to point; John contested each point in detail with the weapons of mean subterfuge, and thus entirely ruined his prestige in the eyes of Europe. Everything went against him, and when he fell there was no one interested to save him or even to give him shelter. Everyone felt that such a man never ought to have been elected Pope. He was nothing more nor less than an Italian military

adventurer, and his camp life had been scandalous enough to make any stories against him sound credible. Yet it was not to the moral indignation caused by his character that John XXIII. owed his fall, but to the policy of Sigismund and the Council, who were bent upon restoring unmistakably the outward unity of the Church. When John threw difficulties in the way of their plan of a common abdication of the three contending claimants of the Papacy, a civil war followed, in which victory declared against John. His rebellion was signally punished, and it was necessary not only to depose him, but to render it impossible for anyone to revive his claims. John XXIII. had few friends, and they could do nothing for him. The Council was omnipotent, and suddenly applied to him a moral standard which would have condemned many of his predecessors; at Constance every tongue and pen was turned against John. A calm Italian observer blamed John for trusting himself to a Council composed of turbulent spirits who wished to turn the world upside down. He admired his versatility and capacity; in his youth a student, he afterwards distinguished himself greatly as a general and administrator; unfortunately he meddled in ecclesiastical matters which he did not understand; and his ability was forgotten in the contemplation of his misfortunes.[1] This seems to have been the prevailing opinion in Italy. Cosimo dei Medici, who was not likely to befriend an utterly worthless man, retained both affection and respect for the deposed Baldassare Cossa, and gave him shelter in his last days. Still it must be admitted that, whatever good qualities John XXIII. possessed, they were useless to him as Pope, and his ignorance and heedlessness of the spiritual duties of his sacred office gave the Council a handle against him. No remorse was felt in making him a victim to the zeal for the union of the distracted Church.

[1] *Vita di Bartolommeo Valori*, by Luca della Robbia, in *Archivio Storico Italiano* (first series), vol. iv. pt. i. 261, &c.

## CHAPTER III.

### RELIGIOUS MOVEMENTS IN ENGLAND AND BOHEMIA.

BOOK II.

Activity of the Council against heresy, as expressed in the teaching of Wyclif and Hus.

When the dispossessed Baldassare Cossa was taken as prisoner to the Castle of Gottlieben, there was another prisoner of the Council within its walls, a Bohemian priest, John Hus, who was accused of heresy. At the beginning of the Council it had been a question keenly disputed whether the promotion of the unity, or the purification of the faith, of the Church should take precedence. Both matters had in some degree progressed, and the two prisoners at Gottlieben, Cossa and Hus, were witnesses of the two sides of the Council's energy.

The form of heresy which engaged its attention was one with which the Council might have been expected to feel some sympathy, for it had its root in a deep-seated moral repugnance to the existing abuses in the ecclesiastical system and a longing for their reform. It had the same aim as the Council itself. But though men were all convinced of the need of reform, they differed widely in the basis which they were ready to adopt. Abuses were so widespread that everyone wished to remedy them; but some merely wished to remove the abuses of the existing system, others wished to remodel the system itself. The system of the Church had grown with the life of Christendom, and the individual Christian recognised his religious life as forming part of the corporate life of the Church. So far as the ecclesiastical system, under the political exigencies of the Papal monarchy, had strayed from its original purpose, and threw stumbling-blocks in the way of the spiritual power of the Church itself, so far were the fathers of the Council of Constance anxious for reform. But the troubled times of the Schism and the misuse of the Papal power drove others to criticise the

nature and basis of the ecclesiastical system itself, and had led them to the conclusion that it was inadequate to the needs of the individual soul, and ought to be reorganised on a new basis. The leading spirits at Constance were anxious to reform the Church system; but they looked with horror on those who wished to create it afresh. Part of the work which they had before them was the extirpation of the errors of Wyclif and Hus, was the purification of the faith of England and Bohemia.

Petition of the Lollards to Parliament. 1395.

We have spoken of Wyclif in the three phases of his career as an upholder of the rights of the kingdom against Papal aggression, as a reformer of the morals of the clergy, and as a critic of the system and doctrine of the Church. In the first phase all Englishmen went with him; in the second he was in accord not only with the best minds amongst his own countrymen, but with the best minds in Europe; but when he attacked in unmeasured terms the foundations of the ecclesiastical system, it was felt that he threatened the existence of the Church and even of civil society. It must be owned that the moral sense of the individual was set up by Wyclif in dangerous superiority over law, and that his dialectical subtlety led him to indulge in theories and maxims which were capable of wider extension than he intended. We cannot be surprised that the English hierarchy set their faces against Wyclif's teaching, and did their utmost to put down a movement which menaced their own existence. After Wyclif's death the party of the Lollards, or 'Canters,'[1] as they were called, formed a compact body and grew in numbers and influence. They had always been favoured by the discontented gentry, and numbered amongst their adherents several men of rank. In 1395, during Richard II.'s absence in Ireland, the Lollards presented to Parliament a petition for the reform of the Church, in which they expressed themselves with astonishing boldness.[2] They set forth the decay of the Church, owing to its temporal grandeur and the consequent corruption of the clergy.

[1] This is the most probable etymology of this doubtful word—from the same root that we have in *lullaby*, meaning to sing. Thomas Hocsemius, of Liège, speaks of 'hypocritæ gyrovagi, qui Lollardi sive deum laudantes vocabantur, per Hannoniam ut Brabantiam quasdam mulieres nobilesde ceperunt. Sub anno 1309. See Ducange, *Glossarium*.

[2] In *Fasciculi Zizaniorum*, p. 360.

BOOK II.

The ordinary Roman priesthood, it set forth, is no longer the true priesthood ordained by Christ; the pretended miracle of the mass leads men to idolatry; the enforced celibacy of the clergy causes immoral living; the use of needless benedictions and exorcisms savours of necromancy rather than theology; prayers for the dead are merely means of gaining alms; auricular confession only exalts the pride of the priest; pilgrimages to deaf images and relics are akin to idol worship; monastic vows lead to much social disorder; war and homicide are contrary to the law of Christ, and occupations serving only for luxury are sinful. Inasmuch as the Church of England has gone astray in these matters, following its stepmother, the Church of Rome, the petitioners pray for its reformation and restoration to primitive perfection. We have here a plan of social as well as ecclesiastical reform, founded upon Wyclif's principles and expressed for the most part in Wyclif's language. So important did Richard II. consider this movement to be that he hastily returned from Ireland, and demanded from the chiefs of the Lollard party an oath of abjuration of their opinions. They seem to have given way at once, a proof that the movement had amongst its most influential followers no real meaning, but expressed rather general discontent than any scheme which they seriously hoped to realise.

Condemnation of Wyclif's opinions by Archbishop Arundel. 1397.

The petition of the Lollards naturally awakened the indignation of the leaders of the clergy. In 1396, Archbishop Courtenay, who had shown little or no disposition for repression, was succeeded by Thomas Arundel, who resolved to take vigorous measures against the insolence of the Lollards. At a provincial synod held in February 1397 eighteen propositions of Wyclif were condemned. They were drawn from the Trialogus by some learned member of the University of Oxford, which was now anxious to restore its reputation for orthodoxy. The condemned propositions consist of ten which tend to weaken the sacramental system of the Church, five which disparage the clerical order and the legitimacy of temporal possessions by the Church; the other three assert the superiority of Scripture over ecclesiastical tradition, the moral basis of authority, and the philosophic doctrine of necessity. Not only did the ecclesiastical synod condemn these doctrines, but a trained contro-

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versialist, a Franciscan friar, William Woodford, wrote a refutation of them, at the Archbishop's bidding.[1]

Influence of political questions on the Lollard party. 1398–1401.

Archbishop Arundel had thus prepared the way for stringent measures against the Lollards; the clergy condemned them, the learned refuted them. But before he could strike a blow he was himself stricken. Political questions swallowed up ecclesiastical disputes: the nation was too busy with other things to attend either to the Lollards or to the clergy. The Earls of Arundel and Gloucester were put to death; the Archbishop himself was impeached by the submissive Commons, and was condemned to banishment. Pope Boniface IX. did not choose to quarrel with the King about an archbishop, and translated Arundel to the see of St. Albans. But Richard II.'s triumph was short-lived, and Arundel took a leading part in the events which set Henry of Lancaster upon the English throne. Under Henry IV. Arundel was more powerful than ever, and was resolute in his hostility to the Lollards. Public opinion seems to have turned decidedly against them, for many of their chief supporters had been staunch adherents of the fallen tyrant. Henry IV. was greatly indebted to the help of the clergy for his easy accession to the throne, and had many promises to fulfil. He was poor and needed money; he was weak and needed political support. He was, moreover, fervently orthodox, and may not have been sorry to dissociate himself at once from his father's unworthy intrigues with the Lollard party.

'De hæretico comburendo.' 1401.

Accordingly, in 1401, a petition was addressed to the King by the clergy, praying for legislative measures against the Lollards who escaped ecclesiastical jurisdiction. The petition received the assent of King, Lords, and Commons, and a clause was inserted in the statute for the year enacting that a heretic convicted in a spiritual court was to be handed over to the secular arm to be burnt. Immediately after this a Lollard preacher, William Sautre, met his doom as a heretic. The country as a whole had now pronounced its opinion against Lollardism, which thenceforth became more and more an

[1] In *Fasciculus Rerum Fugiendarum*, &c., p. 191. Woodford recognises the boldness of Wyclif in his attack upon Transubstantiation. 'Licet aliqui eorum dixerant hoc esse falsum, nunquam aliquis prius præsumpserat dicere hoc esse hæreticum.'

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expression of political and social discontent, and lost much of its religious meaning.

Decay of the Lollard party. 1401–14.

In 1406 another petition was presented to Parliament setting forth that the Lollards were dangerous to public order in matters temporal and spiritual alike; they disseminated disquieting rumours and aimed at upsetting the peace of the kingdom. No fresh steps were taken, but the revolutionary attempt of the Lollard leader, Sir John Oldcastle, at the beginning of the reign of Henry V., led to a more severe act against Lollardism in 1414; by it the secular power was empowered to enquire after heretics, and on suspicion hand them over for trial to the spiritual courts.[1] From this time Lollardism gradually disappeared. The French wars found employment for adventurous minds: political parties afterwards had many grounds for contention without sheltering themselves behind religious factions; the thirst for free enquiry died away in the Universities; England entered upon a career of administrative helplessness and personal selfishness in high places which left no room for discussion of abstract principles. The smouldering discontent with society, into which Lollardism passed away, still lingered and at times blazed forth; but it had none of the elements of a serious religious movement.[2]

General results of Wyclif's teaching in England.

The teaching of Wyclif produced no deep impression in England. Partly this was due to his own character. Wyclif was a keen, acute dialectician; but his spirit was too critical, his teaching too negative, to inspire deep enthusiasm or supply a position round which men would rally to the death. Wyclif himself had none of the spirit of a martyr, and his followers were ready to recant rather than to suffer. The movement was in its origin academic rather than popular, and was used at once for party purposes, from the traces of which it never quite escaped. It lent colourable countenance to socialist doctrines and awakened hostility as being subversive to society. In short, its force was frittered away in various directions; there was no great national interest with which it was decidedly identified. Perhaps the condition of English politics was unfavourable to a great religious movement; there was no decided popular

[1] *Rot. Parl.* iii. 583.

[2] See Stubbs, *Constitutional History of England*, vol. iii. 353, &c., for an admirable summary of the political aspect of the Wyclifite movement.

party, no place for political action founded upon broad principles. Still, though Wyclif set in motion no great movement and left no lasting impression of his definite opinions, he did much to awaken controversy, and by his translation of the Bible he spread among the people a knowledge of the Scriptures. He thus prepared the way for the testing and reception of new opinions in the sixteenth century, and it is not an exaggeration to date from the time of Wyclif that reverence for the exact words of Scripture which has always been the special characteristic of English religious life.

The immediate importance of Wyclif in the history of the world lies in the fact that in the remote country of Bohemia his writings became one element of the first great national movement towards a new religious system.

Early history of Bohemia.

There was much in the early traditions of the Bohemian kingdom to dispose it to revolt from the Papal dominion. The history of Bohemia was that of a Slavonic tribe thrown into the midst of German peoples. The wave of German conquest flowed around it, and it saw in the Holy Roman Empire merely a means of extending the power of the invading Germans. Christianity came to Bohemia from two sides, from Germany and Byzantium; but the Slavs listened to the preaching of the Greek monks, Cyril and Methodius, though the Papacy reaped the fruit of these conversions, and behaved wisely in humouring the prejudices of the new converts. Moravia was made into a separate diocese, and the use of a Slavonic liturgy was allowed. The German Church resented this ecclesiastical organisation of the Slavonic peoples, and the cohesion of the Slavs was soon destroyed by the terrible invasion of Magyars, which severed the Slavic peoples and left Bohemia a helpless prey to German influences. The liturgy of Cyril and Methodius was suppressed and gradually disappeared, though it lingered in some obscure places till the middle of the fourteenth century. In its very origin Latin Christianity in Bohemia was forced upon the unwilling Tchecks and was a badge of Teutonic supremacy. The soil was ready to receive opinions contrary to the ecclesiastical system, and nowhere did the heretical sects of the thirteenth century, the Bogomilians and Waldenses, take deeper root than in Bohemia.

The reign of Charles IV. (1346–1378) forms a decisive epoch

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Reign of Charles IV 1346–78.

in Bohemian history. The 'Pfaffenkaiser,' raised to the Empire by the influence of the Church, was bound to use his power in the Church's behalf. Charles IV. has been differently judged according to different conceptions of his duty. To the political theorist or reformer, who looked to the Emperor to inspire Europe with a new spirit, Charles IV. seemed an indolent and self-indulgent ruler. To the Germans Charles IV. seemed destitute of dignity, weak and incapable, a king who did not care to maintain his prerogatives against the encroachments of his nobles, but regarded Germany as a province annexed to Bohemia. It is true that Charles IV. paid no heed to the Empire, and allowed Germany to go its own way; but he devoted himself to the interests of his Bohemian subjects, so that his reign is the golden age of their national annals. 'A model of a father to Bohemia and a model of a stepfather to Germany,' the Emperor Maximilian called him in later years. 'He made Prag,' said an admirer, 'what Rome and Constantinople had been.' He adorned his capital, elevated it into the seat of an archbishopric, and founded a university which soon took its place by the side of the great Universities of Paris, Oxford, and Bologna.

Efforts of Charles IV. to reform the lives of the clergy.

These steps of Charles IV., so far as they strengthened the organisation of the Church, increased the influence of the Germans. But, besides increasing the power of the Church, Charles IV.'s zeal led him to wish for a reform in the clergy, and round the cry for reform, which Charles IV. fostered, the national spirit of the Tchecks slowly and unconsciously rallied. The Church in Bohemia was wealthy and powerful; the Archbishop of Prag was lord of 329 towns and villages; the cathedral of Prag maintained 300 ecclesiastics; there were at least 110 convents in the land. Simony was rife, and, as a consequence, negligence of duty, exaction, and corruption of manners prevailed among the clergy. A visitation held in 1379 convicted of immorality sixteen clergymen out of thirty who were visited.

Conrad of Waldhausen. 1360–70.

Charles IV. and the Archbishop Ernest of Pardubic were anxious to restore the zeal and morality of the Bohemian clergy. Charles's reforming zeal led him to summon from Austria an earnest preacher, Conrad of Waldhausen, who came to Prag in 1360, and began to denounce pride, luxury, and avarice, with

such effect that crowds thronged to his preaching, and showed the power of his words by returning to simplicity of life. Conrad was led to ask himself how it was that he succeeded where the ordinary ministrations of the clergy failed. His meditations led him to attack the simony and other vices of the clergy, and especially of the friars. It was in vain that the clergy accused Conrad of heresy. The King and the Archbishop upheld him against their attacks, and it is by the irony of fate that in his zeal for the purity of the Bohemian Church the orthodox King set on foot a movement which involved his son in bloody war against his people and made Bohemia a hotbed of heresy.

Milicz of Kremsier. 1363–74.

The earnestness of Conrad of Waldhausen raised up followers, chief of whom was Milicz of Kremsier, in Moravia, who in 1363 laid aside his canonry at Prag to devote himself to the work of preaching to the poor. The teaching of Conrad had only been addressed to the Germans; but Milicz preached in the Bohemian language, and by his fiery mysticism appealed to the imagination of the people. He expounded prophecy and terrified his hearers by his denunciations. The tone of his preaching became more mystical, and the visions of the Apocalypse filled his imagination. One day his zeal carried him so far that, preaching before Charles IV., he denounced him as antichrist. But the Emperor forgave him, and when he was accused of heresy and appealed to Pope Urban V. in 1367, Charles warmly recommended him to the Pope. Milicz went to Rome, but while waiting for the Pope's coming affixed a notice to the door of St. Peter's that he was ready to prove in a sermon the speedy coming of antichrist. For this he was imprisoned; but Urban V. on his arrival released him and treated him kindly. Milicz returned to Prag, justified against his accusers, but ceased afterwards to preach about antichrist. His saintly character impressed all who came near him, and he was the consoler of many troubled hearts. The wonders wrought by his preaching and the growing number of converts, who laid aside their evil courses and submitted themselves to his guidance, soon kindled the jealousy of the clergy, who again denounced him as a heretic to the Pope. The charges against him were chiefly his preaching of antichrist, his abuse of the clergy, disregard of excommunication, and excessive puritanism in several points. He

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was summoned to Avignon by Gregory XI., and died there in 1374.

Mathias of Janow and Thomas Stitny.

Milicz had succeeded in kindling the imagination and awakening the religious enthusiasm of the Bohemians. By his words and by his actions he had set before them a lofty ideal of personal holiness and purity. 'He was,' says one of his followers, 'the image and son of our Lord Jesus Christ, the express similitude of His apostles.'[1] He quickened religious zeal, deepened men's grasp on spiritual truth, and left behind him a band of devoted followers bent on walking in his steps. But what he had expressed in the form of mysticism, in stirring appeals to men's feelings, his followers, chief amongst whom Mathias of Janow and Thomas Stitny, worked out in their writings into dogmatic forms. Mathias of Janow was not so much a preacher as a theologian, and in his work 'De regulis veteris et novi Testamenti'[2] drew out from the Bible alone, disregarding the works of the fathers and the traditions of the Church, the rules of a holy and Christian life. He insisted upon the sufficiency of the Scriptures; he urged the need of having Christ in the heart, and not merely on the lips; he dwelt upon the danger of ceremonies in hiding from men's eyes the sufficiency of Christ as the sole Redeemer, who suffices for the salvation of all who believe in Him. In urging these conclusions Mathias had no consciousness of a breach with the existing ecclesiastical system, but he none the less struck blows against it which sapped its hold upon the minds of men. Mathias, however, wrote in Latin, and so addressed himself only to the more educated and intelligent. Thomas of Stitny, a Bohemian nobleman, followed in the steps of Milicz and wrote for the Bohemian people. In clear and simple language he carried home to men's minds the same truths as Mathias insisted upon, the need of faith founded on the Word of God, showing itself in good works and not resting on ceremonial observances.

This spiritual movement in Bohemia would have died away,

[1] 'Ipse Milicius, filius et imago domini Jesu Christi, apostolorumque ipsius similitudo prope expressa et ostensa.' Mathias of Janow, quoted by Palacky; *Geschichte von Böhmen*, iii. pt. i. 173.

[2] The whole of this work has not been published, but the tractate *De Abominatione Desolationis in Ecclesia Christi* is published amongst the works of Hus in *Historia et Monumenta Hussii* (1715), i. 473, &c. Some striking extracts are given by Palacky.

as so many others had done, if it had not found in the University of Prag an organised body which gave it stability and force. Founded in 1348, the University of Prag, under the fostering care of Charles IV., rapidly increased in importance, so that in 1372 it counted 4,000 students. Its constitution was a matter of some difficulty, and the faculties of theology and jurisprudence strove for supremacy till, in 1372, the jurists formed themselves into a separate university. Following the example of Paris, the University of Prag divided itself into four nations, Bohemian, Bavarian, Saxon, and Polish. At the end of the fourteenth century the foundation of universities at Cracow, Vienna, Heidelberg, Cöln, and Erfurth in some degree diminished the importance of Prag, but it still remained the chief centre of intellectual life among the German and Slavonic peoples. The Poles, however, were few in number, and their vote was practically exercised by the Germans of Silesia. The Tchecks found themselves in a minority in the university which had been founded in their behalf, and the struggle of nationalities, which prevailed throughout Bohemia, raged fiercely in academic matters. The Tchecks claimed exclusive possession of the colleges, which, as elsewhere, were foundations to encourage research. Their claims were supported by King Wenzel, who with all his failings was true to the Bohemian people and by their help maintained himself upon his throne.

The University of Prag.

We may gather from Wenzel's conduct to the Archbishop, John of Jenstein, how slight was the hold which the clergy had upon popular favour, how deep was the impression produced by the reforming preachers. John of Jenstein was made Archbishop of Prag in 1378 because he had won Wenzel's favour by his pleasant manners and skill in the chase. The story of Becket and Henry II. was almost reproduced. A change came over the Archbishop; he became a rigid ascetic, and his new sense of duty brought him into frequent collisions with the King. The quarrel came to a crisis in 1393, when John of Jenstein hastened to fill up the vacant abbacy of Kladruby, though he knew that the King was applying to the Pope to suppress it for the purpose of founding a new bishopric. Wenzel's wrath was ungovernable; he summoned John to Prag, and passionately ordered him and three of his followers to be seized and imprisoned. Two of them were tortured, and Wenzel ordered all

King Wenzel and Archbishop John of Jenstein. 1378–1400.

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of them to be drowned; but when his rage passed away he bethought himself of the consequences which might follow from drowning an archbishop, and reluctantly ordered his prisoners to be released. One of them, John of Pomuc, was so severely injured by the torture that his life was hopeless, and Wĕnzel ordered him to be thrown into the Moldau. Archbishop John was driven to humble himself before Wenzel; he met with no support from the clergy or the people, and at last fled to Rome, where Boniface IX. refused to take any steps that might lead to a quarrel with Wenzel, from whom at that time he looked for help in Italy. John was driven to resign his archbishopric and died in Rome in 1400.

That Wenzel should with impunity and success offer such violence to the metropolitan of the Bohemian Church is a striking evidence that the clergy were looked upon with indifference, if not with dislike. The death of John of Pomuc caused no commotion in Bohemia. The University of Prag showed no desire to interfere in the quarrel between Wenzel and the Archbishop. Hus was accused afterwards of openly expressing his approval of the murder of John of Pomuc; his answer, that he only said that the drowning or imprisoning of a priest was no reason for putting the kingdon under an interdict,[1] shows that he certainly made no protest nor raised his voice against Wenzel's conduct. It is a curious point in later history that this John of Pomuc was chosen by the Jesuits to supplant the memory of Hus as a martyr in the minds of the Bohemians. But legend gathered round John's history; he was confused with a confessor of Wenzel's queen, and was said to have been thrown into the Moldau because he refused to violate the secrets of the confessional at the bidding of a jealous and tyrannical husband. The legend took root in Bohemia in the dark days of the Catholic reaction, and the imaginary confessor was canonised in 1729 under the name of S. John Nepomucen. He answered his purpose in providing Bohemia with a national saint and in substituting a more poetical martyr for John Hus, who was only burnt at the stake for his theological opinions.[2]

There were in Bohemia, at the end of the fourteenth century, many political elements which favoured a revolutionary

[1] See Palacky, *Documenta Mag. Johannis Hus Vitam illustrantia*, p. 165.

[2] See Wratislaw's *Life of S. John Nepomucen.*

Influence of the writings of Wyclif in the University of Prag. 1385–1400.

movement. There was an ill-concealed jealousy of the Tchecks against the German middle classes, which tended to combine with the puritan movement against the abuses of the clergy. The rising of the German nobles against Wenzel, and the pretensions of Rupert to replace him in the Empire, identified his cause still more strongly with that of the Tcheck nationality. In the University of Prag the reforming party became similarly identified with the Tchecks, who were striving to maintain their privileges against the Germans. Soon a new impulse and a more definite form was given to the energies of the reformers by the spread in the University of Prag of the writings of Wyclif. The keen, clear criticisms of ecclesiastical dogmas, which had not taken root in England because they were associated with no national or political interest, supplied a form to the religious aspirations which were in Bohemia associated with a widespread popular movement. The connexion between Bohemia and England, which followed on Richard II.'s marriage with Wenzel's sister Anne, increased the natural intercourse which existed in those days between universities. From Oxford the writings of Wyclif were brought to Prag, as early as 1385, by Jerome of Prag, who was himself a student at Oxford. The questions which they raised, especially the question of Transubstantiation, were eagerly discussed by an increasing party in the University, of whom John Hus became the chief representative.

## CHAPTER IV.

### JOHN HUS IN BOHEMIA.

### 1398—1414.

BOOK II.

Early life of Hus.

JOHN HUS was born of humble parents in the little village of Husinec, in 1369, and rose by his talents and his industry to high fame in the University of Prag. There he began to teach in 1398, and with his friend Nicolas of Leitomysl founded a philosophic school on the basis of the philosophical writings of Wyclif. From Wyclif's philosophy he advanced to Wyclif's theology, which seemed to find an echo in his own moral nature. From the first, however, he saw the dangers to which the acceptance of Wyclif's teaching was likely to lead. 'Oh, Wyclif, Wyclif,' he exclaimed in a sermon, 'you will trouble the heads of many!'[1] Nor was the influence of Hus confined only to academic circles. One of the marks of the religious activity produced by the preaching of Milicz was the foundation in Prag by a wealthy burgher of a chapel called Bethlehem, for the purpose of procuring for the Tchecks sermons in their native tongue. The nomination of Hus as priest of the Chapel of Bethlehem in 1402 gave him the means of appealing forcibly to the popular mind.

Position of Hus.

Hus summed up in his own person all the political and religious aspirations of the Tchecks, and gave them clear, forcible expression in his sermons. Sprung from the people, he maintained that Bohemia ought to be for the Bohemians, as Germany was for the Germans and France for the French. Of pure and

[1] See Palacky, *Documenta*, 168, 'Et dixi et scripsi, O Wickleff, Wickleff, nejednomu ty hlawu *zwikles?*' The exclamation is doubtless of the nature of a pun—*zwikles* meaning 'you will disturb.' The library of Stockholm possesses a copy of five philosophical treatises of Wyclif, written in the hand of Hus in 1398, with copious marginal notes. See Dudik, *Schwedische Reise*, p. 198.

austere life, his countenance bore the traces of constant self-denial, and his loftiness of purpose lent force to his words. From the time that he undertook the Chapel of Bethlehem he devoted himself to the work of popular preaching, and his penetrating intelligence, his clearness of expression, his splendid eloquence, made his sermons produce a more lasting impression than the more impassioned harangues of Conrad or the more mystical and imaginative discourses of Milicz. He exactly expressed the thoughts that were surging in the minds of the people, and gave them definiteness and form. It was clear that Hus was not merely a popular preacher: he threatened to become the founder of a new school of religious thought.

Condemnation of Wyclif's opinions by the University of Prag. 1403.

At first Hus followed in the same lines as his predecessors, and strove to bring about a moral reformation of the Church by means of the existing authorities. The feebleness of the Archbishop of Prag, his death, and a long vacancy in the see left the ground open for the Wyclifite teachers; but in 1403 a reaction set in. The office of rector of the University passed by rotation from the Bohemians to the Germans, and it was proposed to affirm in Bohemia the acts of the Council of London in 1382, which condemned the writings of Wyclif. It was a great matter for the opponents of the reforming party to be able to identify their teaching with that of one who had been already condemned for heresy. This fact has caused the influence of Wyclif on the Bohemian reformation to be somewhat over-estimated; his powerful writings produced a deep impression on the chiefs of the Bohemian movement, but the movement itself had an independent existence, and it was owing to convenience that the struggle between the two parties raged round the writings of Wyclif. A German master of the University, John Hübner, laid before the Chapter of Prag the twenty-four articles of Wyclif's teaching condemned by the Synod of London, and added twenty-one of his own discovery. These forty-five articles were submitted to the University on May 28, 1403. Wyclif's followers contented themselves with protesting that the articles were not to be found in Wyclif's writings; but after some warm discussion the majority condemned the articles laid before them, and a decree was passed that no member of the University was to teach them either in public or in private.

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Hus trusted by Archbishop Zbynek. 1403–6.

This decree of the University, however, produced no effect. The new Archbishop of Prag, Zbynek, was no theologian, and was attracted by the earnestness of Hus. The clerical party had no hope of help from him, and applied directly to Innocent VII., who, in 1405, addressed to the Archbishop a monition to greater diligence in rooting out the errors and heresy of Wyclif. Little, however, was done in this direction, perhaps owing to the influence of Hus, who was so trusted by the Archbishop that he requested him to bring before his notice any defects of ecclesiastical discipline which, in his opinion, needed correction. Moreover, the position of Hus as confessor to Queen Sophia gave him considerable influence at Court, and Wenzel was so indignant at the refusal of Innocent VII., and afterwards of Gregory XII., to recognise him as Emperor, that he had no objection to see a more independent ecclesiastical party establishing itself in his kingdom.

Archbishop Zbynek proceeds against Wycliffite doctrines. 1406–1408.

But affairs soon destroyed this agreement between Hus and the Archbishop and Court. Zbynek was beginning to be exercised in his mind at the frequent discussions about the Eucharist, and in 1406 published a pastoral defining what he considered to be the true doctrine. The preparations for the Council of Pisa exercised great influence over Wenzel, who hoped to secure from the Council, or the Council's Pope, a recognition of his Imperial title, but saw that for this end he must be ready to purge his kingdom of its reputation for heresy. In May 1408 the condemned opinions of Wyclif were read over to a congregation of the Bohemian nation of the University, and lectures or disputations on the words of Wyclif were forbidden. Some of the Bohemian masters were tried for heresy before the Archbishop's court, and a letter of Hus to the Archbishop, couched in lofty tones of moral remonstrance, besought him not to punish the lowly priests who were striving to do their duty in preaching the Gospel, when there were so many of their accusers who were given up to avarice and luxury.[1] From this time a breach was made between Hus and the Archbishop, which went on increasing. The Archbishop, however, satisfied with his victory for the present, declared, in a provincial synod on July 17, 1408, that no heretics were to be found in his diocese:

[1] Palacky, *Documenta*, p. 3.

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he ordered all the books of Wyclif to be burned, and enjoined on the clergy to preach transubstantiation to the people.

Influence of the Council of Pisa on Wenzel's policy. 1408–1409.

The questions raised by the schism of the Papacy gave Hus and his party unexpected help. Wenzel was desirous to have his kingdom cleared of the charge of heresy, that he might more decidedly take part in the negotiations about the summons of the Council of Pisa. He was ill-disposed to Gregory XII., who carried out his predecessor's policy, and continued to recognise Rupert as King of the Romans. Wenzel was urged by the French Court to join in the Council of Pisa, and on November 24 wrote to the Cardinals that he was willing to do so, provided his ambassadors were received as those of the King of the Romans. Meanwhile he wished to withdraw from the allegiance of Gregory XII. and declare neutrality within his kingdom. The reforming party naturally hoped for some changes in their favour from a council, and supported the King's desire: Archbishop Zbynek and the orthodox party opposed it. When the King appealed to the University of Prag the Bohemians were on his side, the Germans sided with the Archbishop. The question of the neutrality drew together the Bohemian masters in the University: many who had combated Hus as a heretic were now with him. The King's anger gave the Bohemian academic party an opportunity of gaining a triumph over their German adversaries. A deputation, of whom Hus was one, represented to the King the grievances of the Bohemians, who had only one vote in the University while the Germans had three. They urged that the Bohemian masters had increased in number, while the Germans had diminished; in learning, as well as in numbers, the Bohemians were at least equal to the Germans. While they were young they were content to be in bondage; but now the fulness of time was come, when they need no more be regarded as servants, but heirs of all that the original foundation of Charles IV. had meant to bestow upon them.[1] The cause of the Bohemian masters was warmly applauded by some of Wenzel's favourites, and also by the ambassadors of France. On January 18, 1409, the King issued an angry decree that it was

[1] Cf. the arguments brought forward in a tractate assigned to Hus, but which Palacky with greater probability assigns to John of Jansinec.—Palacky, *Documenta*, 355, &c.

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unjust that the Germans, who were foreigners, should have three votes and the true heirs of the kingdom only one: he ordered that henceforth the Bohemians should have three votes and the Germans one. On January 22 he published a decree renouncing the obedience of Gregory XII.

The German masters quit the University of Prag. 1409.

The Tchecks were triumphant. Hus in a sermon openly thanked God for this victory over the Germans. Popular excitement ran high, and the Germans in vain strove to resist. They declared that they would leave the University rather than obey. They refused to elect any officials, and when the King nominated them by royal authority the German masters carried their threat into execution and left Prag. According to the most moderate computation,[1] 2,000 are said to have departed, leaving but scanty remnants behind.

Results of this to Germany and Bohemia.

This hasty, passionate step of Wenzel was the destruction of the European importance of the University of Prag, and was a decisive moment in the intellectual development of Germany. The emigrant masters formed a new university at Leipzig, and many of them went to the young universities of Germany. Henceforth there was no great centre of learning in Germany and a powerful bond of national union was lost. But the loss was counterbalanced by the vigorous growth of scattered universities, which leavened more thoroughly with the traditions of learning the mass of the German people. The importance of Prag as one of the great cities of the world began to decline, and the strife of Germans and Tchecks was no longer to be contested, when it could most surely have been healed, in the bloodless sphere of academic disputation. More immediate consequences followed on this decree of Wenzel. He had wished only to pave the way to his adhesion to the Council of Pisa; he kindled into a flame the smouldering spirit of the Bohemian people, and did

[1] That of Æneas Sylvius, *Hist. Bohem.* c. 35: 'Uno die supra duo millia Pragam reliquere, nec diu post circiter tria millia secuti.' Some writers put it at 20,000, some even at 40,000, but accurate statistics are a growth of modern times, and mediæval numbers constantly present gross improbabilities. A paper by Drobisch, in *Verhandlungen der Ges. der Wissenschaften zu Leipzig*, 1849, i. 69, &c., founded on an examination of the records of degrees conferred yearly, computes that the University of Prag at its most flourishing epoch did not exceed 4,000 students, and at this time numbered about 2,500. We may allow that nearly 2,000 quitted it. I have followed this computation in assigning numbers to the University of Prag; the generally received number of its students is 11,000.

much to identify the nation with the cause of ecclesiastical reform. This great national victory was also a victory for the reformers. But it was won at a heavy cost; the enemy was baffled, not crushed. The emigrant masters were dispersed throughout Germany, filled with hatred of their victorious rivals. They spread far and wide the story of their woes; they painted in the blackest colours the wickedness, the impiety of the Bohemians. When we seek afterwards for the causes which led Germany to pour its crusading bands upon the Bohemian land, we may find it in the bitterness which the woes of the emigrant students carried into all quarters.

Bull of Alexander V. against heresy in Bohemia. December 20, 1409.

Meanwhile Wenzel was satisfied with the results of his measure, and its meaning was clearly shown by the election of Hus as the first rector of the mutilated University. The Cardinals and the Council of Pisa received Wenzel's ambassadors, disavowed Rupert, and restored to Wenzel in the eyes of Christendom his lofty position as King of the Romans. When the Council's Pope had been duly elected, on Wenzel would naturally devolve the duty of securing his universal recognition. But Wenzel found with shame that he was powerless even in his own land. Archbishop Zbynek refused to recognise Alexander V., and was supported by the clergy; he even laid Prag under an interdict. Wenzel replied by confiscating the goods of those clergy who joined the Archbishop in withdrawing from Prag. Zbynek was driven to submit, and reluctantly acknowledged Alexander V. in September 1409. These events, however, kindled anew the animosity of the Bohemians against the clergy, and arrayed the Court, the reformers, and the Bohemian people against the Germans and the clergy. The Archbishop's mind became more and more exasperated against Hus, who had preached loudly in the King's behalf, and he prepared to wipe away in a conflict with Hus the discomfiture which he had undergone. Articles against Hus had already, before the end of 1408, been presented to the Archbishop, complaining that he defamed the clergy in his sermons and brought them into contempt with the people. In 1409 new articles were presented, and Hus was summoned to answer before the Archbishop's inquisitor to charges of defaming the clergy, speaking in praise of Wyclif, and kindling contention

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between Germans and Bohemians.[1] Hus does not seem to have appeared to answer to these charges: indeed, a counter charge was raised against the Archbishop in the Papal court, and Alexander V., who can have felt little goodwill to Zbynek, summoned him to answer to these charges. The summons, however, was soon countermanded, as the Archbishop's envoys laid before the Pope an account of ecclesiastical matters in Bohemia, and Alexander V. became impressed with the gravity of the situation. He issued a Bull from Pistoia on December 20, bidding the Archbishop appoint a commission of six doctors, who were to purge his diocese from heresy, forbid the spread of Wyclif's doctrines, and remove from the eyes of the faithful the books of Wyclif. Appeals to the Pope by those accused on any of these points were disallowed beforehand by the Bull.

Hus protests against the Bull. July 1410.

When this Bull was published in Prag the reformers felt that for a time they must bow before the storm. Hus himself brought to the Archbishop the books of Wyclif which he possessed, with a request that Zbynek would point out the errors which they contained, and he was ready to combat them in public. Zbynek's commissioners contented themselves with reporting that Wyclif's writings, which they specified by name, contained manifest heresy and error, and were to be condemned. Whereupon, on June 16, the Archbishop ordered the books to be burned, denounced Wyclif's opinions and prohibited all teaching in private places and chapels. Already on June 14 the University had met and protested against the condemnation of the books of Wyclif, asserting, as was true, that the Archbishop and his commissioners had not had time to examine their contents. On June 20 they renewed their protest, and Hus, seeing himself pushed to extremities, proceeded to a bold step in defiance of ecclesiastical authority. Alexander V. was dead, and there was a chance that his successor might be disposed to reconsider the Bohemian question. Disregarding the Archbishop's decree, Hus again ascended the pulpit in his chapel of Bethlehem; disregarding the Bull of Alexander V., he appealed from a pope wrongly informed to a pope better informed. He called upon the people, he called upon his congregation, to support him in

[1] See Palacky, *Documenta*, 164, for the articles, with Hus's answer to each, written on the MS., but apparently not till the year 1414, shortly before setting out to Constance.

the line which he resolved to pursue. He read the Pope's Bull, the Archbishop's decree: he recalled the previous declaration of Zbynek that there were no heretics in Bohemia; he declared the charges contained in the Bull to be untrue. 'They are lies, they are lies,' exclaimed with one voice the congregation. 'I have appealed, I do appeal,' continued Hus, 'against the Archbishop's decrees. Will you be on my side?' 'We will, we will,' was the enthusiastic answer. 'Know, then,' he went on, 'that, since it is my duty to preach, my purpose stands to do so, or be driven beyond the earth or die in prison; for man may lie, but God lies not. Think of this, ye who purpose to stand by me, and have no fear of excommunication for joining in my appeal.'[1] The language of the appeal itself was equally resolute. The Bull of Alexander V., it affirms, was surreptitiously obtained by Zbynek on false grounds; its authority came to an end with Alexander's death, and Zbynek's decrees were therefore invalid. As for Wyclif's books, even if they contained some errors, theological students ought not to be prohibited from reading them. The Archbishop's decree closing the chapels was an attempt to hinder the preaching of the Gospel and could not be obeyed, for 'we must obey God rather than men in things which are necessary for salvation.' The decisive step of a breach with the ecclesiastical system had now been taken. Hus asserted, as against authority, the sanction of the individual conscience, and he called on those who thought with him to array themselves on his side. Hus had stepped from the position of a reformer to that of a revolutionist.

Archbishop Zbynek burns the writings of Wyclif. July 1410.

Zbynek was not slow to take up the challenge. Wenzel in vain strove to arrange a compromise. On July 16 the Archbishop gathered the clergy round him, and in solemn state burned two hundred volumes of Wyclif's writings which had been surrendered to him. The 'Te Deum' was chanted during the ceremony, and all the church bells in Prag rang out a joyous peal in honour of the event. Two days afterwards Zbynek excommunicated Hus and all who had joined in his appeal, as disobedient and impugners of the Catholic faith.

If by these strong measures Zbynek hoped to overawe the

[1] This account is given in a report sent to the Pope, in Palacky, *Documenta*, 405.

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people he was entirely mistaken. Epigrams on the man who burned the books he had not read passed from mouth to mouth; songs declared that it was done to spite the Tchecks. When the Archbishop came in state to the cathedral door, accompanied by forty clergy, to pronounce the excommunication against Hus, the uproar of the people forced him to retire for safety into the church. Wenzel, though hostile to the Archbishop, found it necessary to interfere, and in a high-handed way devised a compromise. Libellous songs were prohibited on pain of death; the Archbishop was ordered to pay back to the owners of the books he had burned their value, and to withdraw his excommunication. When he hesitated his revenues were seized for the purpose. Wenzel also wrote to Pope John XXIII., asserting that Bohemia was free from heresy, and begging him to revoke the Bull of Alexander V., which had produced nothing but mischief and ill-feeling. But the Archbishop had forestalled the King at the Papal Court: he had sent Hus's appeal and a statement of his own case. John XXIII. referred the matter to Cardinal Oddo Colonna, afterwards Pope Martin V., who lost no time in making his decision. In a letter dated from Bologna, August 24, he enjoined the Archbishop to proceed according to the Bull of Alexander V., and if necessary to call in the secular arm to his aid; Hus was summoned to appear personally at the Papal Court to answer for himself.

Hus excommunicated for contumacy by Cardinal Colonna. February 1411.

This letter reached Prag soon after Wenzel's letter to the Pope had been despatched. The Archbishop triumphed, but Wenzel felt himself personally aggrieved, and wrote again to the Pope, asserting that there was no ground of fear for the religious condition of his kingdom; he took Hus under his personal protection, begged the Pope to withdraw his summons, confirm the privileges of the Chapel of Bethlehem, and allow Hus to continue in peace his useful ministrations. The friends of Hus gathered round him and loudly declared that they would not suffer him to be exposed to the perils of a journey to Rome through lands that were filled with his bitter enemies. But John XXIII. naturally thought that opinions reflecting on the luxury, worldly lives, and evil living of the clergy ought not to be allowed free scope. In spite of Wenzel's remonstrances, Hus was declared by Cardinal Colonna contumacious for not appearing, and was pronounced excommunicated (February 1411).

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Temporary truce. 1411.

Political considerations, however, soon admonished John XXIII. to pay more heed to Wenzel's requests. The death of Jobst of Moravia (January 17, 1411) left the title of King of the Romans in the hands of one or other of the brothers Wenzel or Sigismund. Sigismund was still an adherent of Gregory XII., and John XXIII. felt that it would not be wise to drive Wenzel to join his brother; moreover, he hoped for Wenzel's aid in bringing over Sigismund to his own obedience. He therefore resolved to procrastinate in the matter of Hus, and transferred the cause from the hands of Cardinal Colonna to those of a new commission, which allowed the matter to stand over. The sentence of excommunication against Hus was not rescinded, and the Archbishop ordered it to be promulgated in Prag. Little attention was paid to it, and Zbynek, already infuriated by the seizure of his goods to pay for the books which he had burnt, laid Prag under an interdict. Wenzel in great wrath drove out the priests, who, in obedience to the Archbishop, refused to perform the services, and seized their goods. The nobles were always ready to stand by the King when they could lay hands on the property of the clergy, whose riches they looked upon with a jealous eye. Zbynek, who hoped by his extreme measure to strike terror into Wenzel and the people, found himself entirely mistaken. With the example of John of Jenstein before his eyes, he did not think it wise to exasperate the King further, or to trust to the Pope for help in extremities. Most probably John XXIII. privately advised him to make peace with the King. At all events he agreed to submit his disputes with Hus and the University to arbiters appointed by Wenzel, who gave their decision (July 6) that the Archbishop should submit to the King, should write to the Pope saying that there were no heresies in Bohemia, and that the disputes between himself and the University were at an end, that all excommunications should be recalled and all suits suspended. The King on his side was to do all he could to check the growth of error, and was to restore all benefices taken from the clergy. To this Zbynek was forced to consent; but the letter to the Pope, though written, was never sent. Before the disputed points could be practically arranged, Zbynek died, on September 28. He was a man of blameless life and high character. Hus sincerely regretted his death and honoured him for his attempts to reform the lives and morals of

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the clergy. He had been his friend in the early part of his episcopate, and Hus considered the persecution of himself as due to the Archbishop's advisers, not to himself. The new Archbishop, Albik, was an old man, who knew and cared little about theology. He was Wenzel's physician, and was of an easy disposition, rich and avaricious; nothing but the dread of Wenzel's displeasure drove him to accept the office of Archbishop. Under him it seemed as though peace would be again restored, and there was quiet for a while.

Protest of Hus against the sale of indulgences. June 1412.

Hus, however, had, unknown to himself, drifted far away from the old ecclesiastical system. His conscience had become more sensitive, and his feeling that he must guard against offending the conscience of others had become more intense. Hitherto he had raised the voice of moral reproach against the abuses of the clergy; occasion soon drove him to raise the same protest against the abuses of the Papacy itself. John XXIII., in his struggle against Ladislas, appealed to Christendom for help. He issued Bulls of excommunication, proclaimed a crusade, promised indulgences to the faithful who took part in it, and sent commissioners to stir up their zeal. The Papal legate in Bohemia for this purpose, Wenzel Tiem, Dean of Passau, was not wanting in energy. Three chests were put up in public places to receive contributions; indulgences were preached in the market-place, and those who had no money might pay in kind. The parish clergy were enlisted in the legate's service, and used the confessional as a means of extorting money.[1]

There was nothing new in this, nothing exceptionally scandalous. Yet it set the whole nature of Hus in revolt. He denounced the crusade as opposed to Christian charity; he vehemently attacked the methods by which money was being raised. In vain the theological faculty of the University dissented from him, pointing out that it was, and had been for centuries, the belief of Christendom that the Pope could give remission of sins, and that he was justified in calling on the faithful to help him in time of need. In spite of the efforts of

[1] So says Hus. Palacky, *Documenta*, 223: 'Populum taxarunt mirabiliter in confessionibus ut pactatam conquirerent pecuniam.' The Archbishop in vain tried to check this by issuing a letter 'quod populus in confessionibus non taxetur.'—*Ibid.* 451.

the University to prevent it, Hus held a public disputation against the Pope's Bull on June 7, 1412. Hus in his argument discussed the two questions of the validity of indulgences and the justice of a crusade. While admitting the priestly power of absolution, he urged that its efficacy depended on the true repentance of him who received it, and that God only knew who were predestinated to salvation. Neither priest nor Pope could grant privileges contrary to the law of Christ; in following the example of Christ could salvation most surely be obtained.[1] Hus's subtle arguments met with many answers, but his fiery scholar Jerome of Prag by a storm of eloquence so carried away the younger scholars that they escorted him in triumph home. In the general excitement the noisiest and least thoughtful spirits, as usual, took the lead. One of the King's favourites, Wok of Waldstein, organised a piece of buffoonery which was meant to be a reprisal for the burning of Wyclif's books two years before. A student, dressed as a courtesan, was seated in a car with the Pope's Bull fastened round his neck; surrounded by a motley throng, the car was drawn through the city to the Neustadt, where the Bull was burnt (June 24).

Tumult in Prag. July 1412.

Wenzel was naturally indignant at this uproar, and ordered the magistrates of the city to punish with death those who spoke against the indulgences. On Sunday, July 10, three young men of the lower orders were apprehended for having cried out in churches that the indulgences were a lie. In vain Hus, accompanied by two thousand students, pleaded before the magistrates in behalf of the prisoners. Their fault, he said, was his; if anyone ought to suffer, it was himself. The magistrates gave him a fair answer, but a few hours afterwards, on Monday afternoon, the three prisoners were brought out for execution, surrounded by armed men. A vast crowd followed the procession in solemn silence. When the executioner proclaimed, 'All who do like them must expect their punishment,' many voices exclaimed that they were ready to do and suffer the same. A band of students took possession of the three corpses, and chanting the martyr's psalm 'Isti sunt sancti,' bore them to the Chapel of Bethlehem, where they were solemnly buried. The first blood had been shed in the religious strife in Bohemia;

[1] These arguments were afterwards put in shape by Hus and published; 'Disputatio adversus Indulgentias Papales.' Hus, *Opera*, i. 215, &c.

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the reformation had won its first martyrs. Hus declared in a sermon that he would not part with their bodies for thousands of gold and silver.

Excommunication of Hus. 1412.

The opponents of Hus felt that he could not be silenced by means of the University, where a large majority was on his side. They accordingly had recourse to the royal authority, and asked Wenzel to forbid the teaching of the forty-five articles, taken from the writings of Wyclif, which had been condemned in 1408. To these were added six new articles bearing on the present disturbance, condemning the opinion that priestly absolution was not in itself effectual but merely declaratory,[1] and the opinion that the Pope might not ask for subsidies in his temporal needs. Wenzel forbad under pain of banishment the teaching of any of these condemned articles, but refused to go further and prohibit from preaching those who were accused as prime causes of the late disturbances. Not content with the aid of the King, the clergy of Prag also complained to the Pope. John XXIII., naturally incensed at the news of this defiance offered in Bohemia to his authority, handed over the trial of Hus to Cardinal Annibaldi, who lost no time in pronouncing against Hus the greater excommunication: if within twenty days he did not submit to the Church, none were to speak to him or receive him into their houses; the offices of the Church were to cease when he was present, and the sentence against him was to be solemnly read in all churches in Bohemia every Sunday. Nor was this all; by a second decree all the faithful were required to seize the person of Hus and deliver him to the Archbishop of Prag, or the Bishop of Leitomysl, to be burned; his Chapel of Bethlehem was to be levelled with the ground.

Hus goes into exile. 1412–13.

The denunciations of the Papacy have never been lacking in severity, but they have rarely been carried at once into effect. Hus appealed from the Pope to Jesus Christ, the true Head of the Church; it was a curious piece of formalism to maintain himself still within the communion of the Church. His foes were ready to proceed against him; so long as he was in Prag the interdict was rigidly observed by the clergy. But the resolute attitude of his friends portended a bloody conflict. Wenzel interfered to

[1] 'Quod sacerdotes non absolvunt a peccatis nec dimittunt peccata ministerialiter, conferendo et applicando sacramentum pœnitentiæ, sed quod solum denuntiant confitentem absolutum *est error*.'—Palacky, *Documenta*, 455.

prevent it, and prevailed on Hus, for the sake of keeping the peace, to leave Prag for a time; he promised to do his utmost to reconcile him with the clergy. Hus obeyed the royal request, though with a feeling that he was forsaking his post, and left Prag in December 1412.

Wenzel attempts to make peace. 1413.

Wenzel was genuinely anxious to have things amicably settled, and appointed a Commission, with the Archbishop at its head, to draw up the terms of a reconciliation. But when once theological disputes arise, every step towards a formal agreement is keenly criticised. The representatives of the University theologians objected to be called in the preamble 'a party'; they declared that they expressed the opinions of the Church; they defined the Church as that 'whose present head was Pope John XXIII., and whose body was the Cardinals, and the opinions of that Church must be obeyed in all concerning the Catholic faith.' The friends of Hus were willing to accept this with the addition 'as far as a good and faithful Christian ought.' The four doctors who represented the University refused to accept this, and protested against the Commissioners.[1] Wenzel regarded them as throwing wilful hindrances in the way of his project of peace, and angrily banished them from his kingdom.

This victory of the followers of Hus was followed by a political triumph that was of still greater importance. The strength of Hus's party in Prag lay in the Bohemians, and the strength of the orthodox party lay in the German middle class. Prag consisted of three separate municipalities. On the left bank of the Moldau lay the Old Town and the New Town; on the right bank of the Moldau, the Little Town nestled round the cathedral and the royal palace of the Hradschin. In the New Town the Tchecks were in a majority, but in the Old Town the municipal council was chiefly in the hands of the well-to-do Germans, which accounts for the vigour displayed by the magistracy in suppressing all objections to the sale of indulgences. In late years the struggle of Germans and Tchecks had been bitter within the Old Town, and Wenzel, in pursuit of his pacific policy, ordered, on October 21, 1413, that henceforth the names of twenty-five Germans and twenty-five Bohemians be submitted to him, from whom he would choose eighteen, nine from each

[1] The account of this is given by one of the University doctors, Stephen Palec, in Palacky, *Documenta*, 507.

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nation, who should constitute the Council. From this time the superiority of the Germans was broken, and they no longer had the government of the Old Town in their hands.

Literary activity of Hus.

Wenzel's repressive measures produced external peace for a time. Hus in his exile spread his opinions still more widely throughout the land. Tractates and addresses to the people flowed unceasingly from his pen, as well as his great treatise 'De Ecclesia.' Freed from the excitement which had constantly attended his last six years in Prag, the literary activity of Hus was now unimpeded. Nor must Hus be regarded only as a controversialist; he was the great framer of the Bohemian tongue. He adapted the Roman alphabet more fully to the expression of the Tcheck sounds; and the orthography which Hus introduced exists up to this day in Bohemia. He was, moreover, anxious for the purity of the Tcheck language, reproved the citizens of Prag for their combination of German and Tcheck, and was in his own writings and speech a linguistic purist.

Theological opinions of Hus.

In the treatise 'De Ecclesia' Hus expresses most clearly his opinions, though it is not as a thinker that Hus owes his chief claim to the consideration of after times. His strength lay in his moral rather than in his intellectual qualities. His opinions were not logically developed, as were those of Wyclif, but for that very reason they awakened a louder echo amongst his hearers. Hus was deeply impressed with the abuses of the ecclesiastical system, which were everywhere apparent. He was above all things a preacher, bent upon awakening men to a new spiritual life, and keenly sensitive of the difficulties thrown in his way by the failings and vices of the clergy. Hus had no wish to attack the system of the Roman Church, no wish to act in opposition to its established rules; he maintained conscientiously to the last that he was a faithful son of the Roman Church. But the necessity of attacking abuses led him on step by step to set up the law of Christ as superior to all other enactments, as sufficient in itself for the regulation of the Church; and this law of Christ he defined as the law of the Gospel as laid down by Christ during the sojourn on earth of Himself and the Apostles.[1] His adversaries at once pointed

[1] See the tractate written at Constance in 1414, 'De Sufficientia Legis Christi,' *Opera*, i. 57. 'Voco autem, ne fiat æquivocatio, Legem Christi Evangelicam, legem a Christo pro tempore suæ viationis et Apostolorum expositam ad regimen militantis ecclesiæ.'

out that, starting from this principle, he maintained the right of each individual to interpret Scripture according to his own pleasure, and so introduced disorder into the Church.

Besides this claim for the sufficiency of Scripture instead of ecclesiastical tradition, Hus, from his deep moral earnestness, adopted the Augustinian view of predestination, and defined the true Church as the body of the elect. There were true Christians and false Christians; it was one thing to be *in* the Church and another thing to be *of* the Church. Those only were of the Church who by the grace of predestination were made members of Christ. The Pope was not the head of the Church, but was only the Vicar of Peter, chief of the Apostles; and the Pope was only Vicar of Peter so far as he followed in the steps of Peter. Spiritual power was given that those who exercised it might lead the people to imitate Christ; it is to be resisted if it hinders them in that duty.[1] The Pope cannot claim an absolute obedience; his commands are to be obeyed only as being founded on the law of Christ, and if contrary thereto ought to be resisted.[2] No ecclesiastical censures ought to prevent a priest from fulfilling the commands of Christ, for he can reach the kingdom of heaven under the leadership of his Master, Christ.[3] We find in this much that reminds us of Wyclif; but what Wyclif reasoned out calmly, with a full sense of the difficulties involved in his view, Hus asserts with passionate earnestness, applying only so much of his principles as covers his own position at the time. It is difficult to say how much Hus owed to Wyclif, and it is easy to point out similarities between the ideas of the two. But the language of Hus might be paralleled on some points by the language of Gerson and D'Ailly. All who were anxious for reform, and saw that reform was hopeless through the Papacy, tended to criticise the Papal power in the same strain. It is

[1] 'De Ecclesia,' *Opera*, i. 271: 'Veraces Christicolæ debent cuilibet potestati prætensæ resistere, quæ nititur eos ab imitatione Christi vi vel subdole removere.'

[2] *Ibid.* 293: 'Si autem cognoscit veraciter quod mandatum Papæ obviat mandato vel consilio Christi, vel vergit in aliquod malum ecclesiæ, tunc debet audacter resistere ne sit particeps criminis ex consensu.'

[3] *Ibid.* 317: 'Benedictus quoque sit Christus summus Romanus Pontifex, qui dedit gratiam suis fidelibus, quod non existente aliquo Romano Pontifice pro dato tempore ad cæli patriam possunt duce Christo Domino pervenire.'

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the strong personality of the writer that attracts us in the case of Hus. Everything he writes is the result of his own soul's experience, is penetrated with a deep moral earnestness, illumined by a boldness and a self-forgetfulness that breathe the spirit of the cry, 'Let God be true and every man a liar.'

In this literary activity Hus spent his exile from Prag. He was in constant communication with his followers there, and his letters of encouragement to them in their trials, and of exhortation to approve their opinions by goodness of life, give us a touching picture of simple, earnest piety rooted on a deep consciousness of God's abiding presence. These letters show us neither a fanatic nor a passionate party-leader, but a man of childlike spirit, whose one desire was to discharge faithfully his pastoral duties and do all things as in the sight of God and not of man.[1]

Hus agrees to go to the Council of Constance. 1414.

Thus passed the year 1413; there was truce between the two parties in Bohemia, but both were eagerly expecting what the future might bring. John XXIII.'s Council in Rome at the beginning of the year had condemned the writings of Wyclif, but the proceedings of the Council were too trivial to awaken much attention. But when the Council of Constance was first announced, both sides felt that it must have a decisive influence on the state of affairs in Bohemia. John XXIII. was anxious to bring into prominence the Bohemian dispute; it was the one question that might stave off for a while any discussion of the reform of the Church. In fact, the Bohemian movement rested entirely upon a desire for reform: it put before Christendom one set of principles, one way of procedure which would make a thorough reform of the Church possible. Though John XXIII. did not know much about theology, he knew enough about human nature to feel convinced that the principles of the Bohemian reformers would not commend themselves to the ecclesiastical hierarchy assembled in the Council. He trusted that the difficulties which their discussion might raise would blunt the earnestness of the reformers in the Council, by identifying their cause with principles that were clearly subversive of the order of the Church. Sigismund on his side was urged by his vanity as well as his self-interest to use the prestige of a united Christendom to reduce into order Bohemia,

[1] These letters are given in Palacky, *Documenta* 34–66.

of which, as his brother Wenzel was childless, he was the heir. Accordingly he lost no time in negotiating with Hus that he should appear before the Council and plead his own cause. He offered Hus his safe-conduct, promised to procure him an audience before the Council and to afford him a safe return in case his matter was not decided to his satisfaction.[1] Hus's friends besought him not to go. 'Assuredly you will be condemned,' they pleaded. They warned him not to trust too much to Sigismund's safe-conduct. But Hus considered it to be his duty to go and make profession of his faith, in spite of all dangers; he had not considered that he was called upon to risk his life in going before the Pope two years ago, but now he had a safe-conduct against the perils of the journey, and had hopes of appearing before a competent and impartial tribunal. He set out on his journey to Constance on October 11, amidst the sad forebodings of his friends. 'God be with you,' said a good shoemaker as he bade him farewell; 'God be with you: I fear you will never come back.'

Journey of Hus to Constance. 1414.

Hus was anxious to be in good time at the Council, so he left Prag before he had received the promised safe-conduct from Sigismund. He was escorted by two Bohemian barons, Wenzel of Duba and John of Chlum, who were afterwards joined by a third, Henry of Latzenborck. On his journey Hus sent before him, into the various towns through which he passed, public notices that he was going to Constance to clear himself of heresy, and that those who had any accusation against him should prepare to present it before the Council. Everywhere he was received with respectful curiosity by the people, and in many cases by the clergy. The Germans no longer saw in Hus a national antagonist, but rather a religious reformer. They were willing to stand neutral until the Council had pronounced its decision on his doctrines.[2] On November 3rd Hus entered

[1] This was how Hus regarded the undertaking of Sigismund's envoy, as he writes from Constance (Palacky, *Documenta*, p. 114): 'Mihi intimavit per Henricum Lefl et per alios, quod vellet mihi ordinare sufficientem audientiam, et si me non submitterem judicio, quod vellet me dirigere vice versa.' In the same sense is Hus's letter, dated Prag, September 1, 1414, written in answer to Sigismund's offers: 'Intendo humiliter collum subjicere et sub protectionis vestræ salvo conductu in proximo Constantiensi concilio comparere.' *Documenta*, p. 70.

[2] A letter of Hus from Nürnberg, October 20, gives an interesting account of his reception; he says, 'nullum adhuc sensi inimicum.'—Palacky, *Doc.* 76,

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Constance and took up his abode in the house of a good widow close by the Schnetzthor. His arrival was announced by John of Chlum and Henry of Latzenborck to the Pope, who assured them that he wished to do nothing by violence. In the true style of a condottiere general he said that, even if Hus had killed his own brother, he should be safe in Constance.[1] On November 3 Wenzel of Duba, who had ridden from Nürnberg to Sigismund, returned with the royal safe-conduct, which ordered all men to give Hus free passage and allow him to stay or return at pleasure.[2] In full confidence for the future, in the simple belief that a plain statement of his real opinions would suffice to clear away all misrepresentations, and that the truth would prevail, Hus awaited the opening of the Council. He expected that Sigismund would arrive at Christmas, and that the Council, if not dissolved before, would have finished all its business by Easter.

also the account of Peter of Mladenowic, Secretary of John of Chlum, *Documenta*, 245.

[1] Mladenowic, in Palacky, *Documenta*, 246.

[2] The document is given by Mladenowic (*Doc.* 238): 'Transire, stare, morari et redire libere permittatis.'

## CHAPTER V.

### THE COUNCIL OF CONSTANCE AND THE BOHEMIAN REFORMERS.

### 1414–1416.



Hus and the opening of the Council.

FROM his lodging by the city wall Hus looked out with surprise on the assembling of the Council, on the pomp that signified the arrival of princes of the Church; but he had no enthusiasm in his heart. He saw only the vice and luxury that accompanied this gathering of the faithful. 'Would that you could see this Council,' he wrote afterwards to his Bohemian friends, 'which is called most holy and infallible; truly you would see great wickedness, so that I have been told by Suabians that Constance could not in thirty years be purged of the sins which the Council has committed in the city.'[1] Hus stayed quietly in his house, for he was still excommunicated, and the place where he was lay under an interdict. The Pope sent him a message saying that the interdict was suspended, and that he was at liberty to visit the churches of Constance; but, to avoid scandal, he was not to be present at High Mass. Hus seems to have made no use of this permission; he was busily employed at home in preparing for his defence.

Enemies of Hus at Constance.

Meanwhile his enemies were actively engaged in poisoning the Council against him. Chief amongst his opponents were the Bishop of Leitomysl and Michael of Nemecky Brod, who had formerly been a priest in Prag, but had been appointed by the Pope 'procurator de causis fidei,' and from his office was generally called Michael de Causis. There too was Wenzel Tiem, anxious to avenge himself upon the man who had done such harm to his financing operations in the sale of indulgences. From the University of Prag came Stephen Palecz, who had formerly been a friend of Hus; but, alarmed at Hus's action

[1] Palacky, *Documenta*, 138.

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against the preaching of indulgences, had changed sides, and afterwards showed all a renegade's bitterness against his former leader. Hus complains that the Bohemians were his bitterest foes; they gave their own account of what had happened in Bohemia, brought Hus's writings to Constance and interpreted his Bohemian works, as they alone knew the language. Through the activity of these powerful opponents Hus's cause was judged beforehand, and the only question which the Council had before it was the method of his condemnation.

Opinions at the Council about Hus.

It is difficult to see where Hus expected to find partisans in the Council. The Pope and the Cardinals had already declared themselves against him. England had abandoned Wyclif, and was not likely to raise its voice in favour of Hus. France in its distracted condition brought its political animosities to the Council, and was not likely to lend help to one whose principles were subversive of political order. Already the ecclesiastical reformers of the University of Paris had taken steps to cut themselves off from all connexion with those of Prag. In May 1414 Gerson wrote to Conrad, the new Archbishop of Prag, exhorting him to root out the Wyclifite errors. On September 24 he sent the Archbishop twenty articles taken from the writings of Hus, which the theological faculty of the University of Paris had condemned as erroneous. These articles mostly dealt with Hus's conception of the Church as the body of those predestinated to salvation, and the consequent inference that the commands of those predestinated to damnation were not binding on the faithful. Gerson was horrified at such a theory of the Church; he regarded it as subversive of all law and order. He and the conservative reformers of Paris were willing to reform the existing abuses in the ecclesiastical system, and for that purpose admitted a power residing in the whole body of the Church which was superior on emergencies to that of its ordinary ruler; but they shrank from a new conception of the Church which would allow the private judgment of the predestinated to override all authority. Gerson regarded Hus as a dangerous revolutionist; he wrote to the Archbishop on September 24, 'The most dangerous error, destructive of all political order and quiet, is this—that one predestined to damnation or living in mortal sin, has no rule, jurisdiction, or power over others in a Christian people. Against such an error it seems to my

humility that all power, spiritual and temporal, ought to rise and exterminate it by fire and sword rather than by curious reasoning. For political power is not founded on the title of predestination or grace, since that would be most uncertain, but is established according to laws ecclesiastical and civil.'[1] The antagonism between the two schools of thought was profound. Hus, in his desire to deepen the consciousness of spiritual life, and bind together the faithful by an invisible bond of union with Christianity, was willing to sacrifice all outward organisation. Gerson regarded the Church as a religious polity whose laws and constitution needed reform; but the most fatal enemy to that reform was the spirit of revolution which threatened the whole fabric with destruction. As a statesman and as a logician Gerson regarded Hus's views as extremely dangerous. Hus, stirred only by his desire for greater holiness in the Church, believed that he could move the Council as he moved his congregation of Bethlehem. He wished only for an opportunity of getting forth his opinions before assembled Christendom, and thought that their manifest truth could not fail to carry conviction. There was a child-like simplicity about his character, and an ignorance of the world which some writers of modern times have mistaken for vanity.

Hus imprisoned. Nov. 28.

Feeling that the Council was entirely on their side, the enemies of Hus were anxious to proceed against him before Sigismund's arrival. John XXIII. on his part was equally willing that the Council should find some occupation for its activity. The first step was to seize the person of Hus. Ungrounded rumours were spread that he had made an attempt to leave the city in a hay cart;[2] it was urged that he said mass every day in his own house, and that many went to visit him and hear his false doctrines. Accordingly, on November 28, the Bishops of Augsburg and Trent, together with the burgomaster of Constance, came to Hus's house while he was at dinner with John of Chlum, and informed him that the Pope and the Cardinals were

[1] Palacky, *Documenta*, 528.

[2] This story, given by Reichenthal, has been often repeated, but the account of Mladenowic (in *Doc.* 247) clearly contradicts it. Reichenthal has confused Hus with Jerome of Prag. If Hus had attempted to escape, the fact would have been urged against him in the proceedings of the Council. See Palacky, *Gesch. Böhm.* III. i. 322 *n.*

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ready to hear him. John of Chlum angrily answered that Hus had come at Sigismund's request to speak before the Council; it was Sigismund's will that he should not speak before his arrival. The Bishop of Trent answered that they had come on an errand of peace. On this Hus rose from the table and said that he had not come to Constance to confer with the Cardinals, but to speak before the Council; nevertheless he was willing to go and answer anywhere for the truth. He bade adieu to his weeping landlady, who had seen the armed men with whom these messengers of peace had surrounded her house, and as Hus mounted his horse she begged his blessing, as from one who never would return.

Hus before the Pope and Cardinals. Nov. 28.

When Hus appeared, at twelve o'clock, before the Cardinals in the Pope's palace, he was told that there were many grievous charges against him of sowing errors in Bohemia. He answered, 'Most reverend fathers, know that I would rather die than hold a single error. I came of my own accord to this Council, and if it be proved that I have erred in anything I am willing humbly to be corrected and amend.' The Cardinals said that his words were fair, and then rose, leaving Hus and John of Chlum under the guard of the soldiers who had escorted them there. A subtle theologian, in the guise of a simple friar in quest for truth, came meanwhile to talk with Hus on the doctrine of the Eucharist and the two natures of Christ. Hus, however, discovered him, and guarded against his desire for religious confidences.

At four o'clock the Cardinals again assembled to consider Hus's case. The articles prepared by Michael de Causis were laid before them. They accused Hus of (1) teaching the necessity of receiving the Eucharist under both kinds and of attacking transubstantiation; (2) of making the validity of the sacraments depend on the moral character of the priest; (3) of erroneous doctrine concerning the nature of the Church, its possessions, its discipline, and its organisation. Hus's opponents were there, and urged the necessity for putting him in prison; if he were to escape from Constance he would boast that he had been tried and acquitted, and would do more harm than any heretic since the times of Constantine the Great.[1] It was evening when the master of the Pope's household came

[1] Articles of Michael de Causis, Palacky, *Documenta*, 199.

to announce to John of Chlum that he was free to depart if he chose, but Hus must remain in the palace. The fiery Bohemian forced his way into the Pope's chamber. 'Holy Father,' he exclaimed, 'this is not what you promised. I told you that Master Hus came here under the safe-conduct of my master the King of the Romans; and you answered that if he had killed your brother he should be safe. I wish to raise my voice and warn those who have violated my master's safe-conduct.' The Pope called the Cardinals to witness that he had never sent to take Hus prisoner. He afterwards called John of Chlum aside, and said to him, 'You know how matters stand between me and the Cardinals; they have brought me Hus as a prisoner, and I am bound to receive him.' John XXIII. cared little about his promise, or about Hus; he frankly admitted that he was thinking only how to save himself. Hus was led to the house of one of the Canons of Constance, where he was guarded for eight days. On December 6 he was taken to the Convent of the Dominicans, on a small island close to the shore of the lake. There he was cast into a dark and narrow dungeon, damp with the waters of the lake, and close to the mouth of a sewer. In this noisome spot he was attacked by fever, so that his life was despaired of, and John XXIII. sent his own physicians to attend him.

Anger of Sigismund at the violation of his safe-conduct.

The anger of John of Chlum at the imprisonment of Hus gave a sample of the spirit which afterwards animated the whole Bohemian nation. He did not cease to complain in Constance of the Pope and Cardinals; he showed Sigismund's safe-conduct to all whom he met; he even fixed on the doors of the Cathedral a solemn protest against the Papal perfidy. Sigismund himself was equally indignant at the dishonour done to his promise; he requested that Hus be immediately released from prison, otherwise he would come and break down the doors himself. But the enemies of Hus were more powerful than the remonstrances of Sigismund. Perhaps John XXIII. was not sorry to find a subject about which he might try to create a quarrel between Sigismund and the Council. Proceedings against Hus were begun; on December 4 the Pope appointed a commission of three, headed by the Patriarch of Constantinople, to receive testimonies against Hus. Hus asked in vain for an advocate to take exception to the witnesses, of whom many

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were his personal foes. He was answered that it was contrary to law for anyone to defend a suspected heretic.

When Sigismund arrived in Constance on December 25, the first question that engaged his attention was that of Hus's imprisonment. He demanded of the Pope that Hus should be released. John XXIII. gave him the same answer as he had given to John of Chlum: he referred him to the Cardinals and the Council, whose work it was. Discussion went on sharply for some time.[1] Sigismund urged that he was bound to see his safe-conduct respected; the fathers of the Council answered that they were bound to judge according to the law one suspected of heresy. When Sigismund urged the indignation which was rising in Bohemia at Hus's imprisonment, he was answered that there would be serious danger to all authority, ecclesiastical and civil, if Hus were to escape to Bohemia and again commence his mischievous preaching. Sigismund threatened to leave Constance if Hus were not released; the Council answered that it also must dissolve itself if he wished to hinder it in the performance of its duty.[2]

Arguments in favour of disregarding the safe-conduct of Hus.

We are so far removed from a state of opinion in which a King could be urged to break his word, on the ground that it was only plighted to a heretic, that it is difficult for us to appreciate the arguments by which such conduct could be justified. The Council maintained that one of its chief objects was to put down heresy. Hus was certainly a heretic, and must be tried as such; he was now in their power, and if he were to escape the evil would be greatly increased. It was not their business to consider how he had put himself in their power. The existence of the Council was independent of Sigismund's help, and it must not allow its independence to be fettered at the outset by Sigismund's interference. Moreover, the terrible conception of heresy in the Middle Ages put the heretic outside the limits of a king's protection.[3] He was a

[1] The letter of the envoys of the University of Köln, dated January 17, 1415, says: 'Hodie est occasio non modicæ perturbationis propter salvum conductum sibi (i.e. Hus) præstitum.' Martene, *Thesaur.* ii. 1611. This is opposed to Von der Hardt, iv. 26, who makes Sigismund withdraw his safe-conduct on January 1.

[2] Palacky, *Geschichte von Böhmen*, iii. 1, 329, from a letter of Sigismund to the Bohemian estates, written from Paris, March 21, 1416.

[3] Schwab, *Johannes Gerson*, 582–3, has collected a number of passages bearing on this point.

plague-spot in the body of a State, and must be cut out at once, lest the contagion spread. Heresy in a land was a blot on the national honour, which kings were bound to preserve intact; the heretic was a traitor against God, much more a traitor against his own sovereign. It was the clear duty of all in authority to protect themselves and the community against the risks which the spread of heresy inevitably brought. Nor could a promise of safe-conduct rashly made override the higher duties of a king. No promise was binding if its observance proved to be prejudicial to the Catholic faith.[1] Rash and wicked promises are not binding, and the goodness of a promise must in some cases be judged by its result. 'Call to mind,' urged the Bishop of Arras, 'the oath of Herod, which the result proved to be an evil one; so in the case of a heretic with a safe-conduct, his obstinacy makes it necessary that the decree be changed; for that promise is impious which is fulfilled by a crime.'[2] Such is a sample of the reasons which led the wisest and best men of Christendom to urge Sigismund to a shameless breach of faith. Their arguments were enforced by Sigismund's fear lest the Council dissolve if he refused to listen, and so all the glory which he hoped to gain be lost to himself, and all the benefits of a reunion of Christendom be lost to mankind. King Ferdinand of Aragon wrote to Sigismund, expressing his surprise at any hesitation about punishing Hus. It was impossible, he said, to break faith with one who had already broken faith with God.[3] This letter must have produced a great impression on Sigismund; if the Council were to succeed, Aragon must be brought to acknowledge its authority, and no pretext must be given which might cover a refusal. Overborne by these considerations, Sigismund abandoned Hus to his fate.

[1] 'Cum dictus Johannes Hus fidem orthodoxam pertinaciter impugnans, se ab omni conductu et privilegio reddiderit alienum, nec aliqua sibi fides aut promissio de jure naturali, divino vel humano, fuerit in præjudicium catholicæ fidei observanda.'—*Declaration of the Council*, Von der Hardt, iv. 521.

[2] Gerson, *Op.* v. 572: 'Resolve in animo tuo juramentum Herodis et comperies quod in malis promissis fides est rescindenda non solum a principio sed etiam ab eventu, sicut de hæretico, cui etiam datur salvus conductus, ob cujus pertinaciam mutandum est decretum; impia est enim promissio quæ scelere adimpletur.'

[3] See *Andreæ Ratisbonensis Chronicon.* Eccard, i. 2146.

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We cannot resist a feeling of moral indignation at such sentiments and at such conduct; but the object of history is to understand, before we judge, the past. Freedom of opinion has been established among us at the present day by the teaching of experience: we have learned that duty has an existence amongst men independent of the law of the Church. Such a conception was impossible in the Middle Ages. The belief that rightness of conduct depended on rightness of religious opinion was universal, and the spirit of persecution was but the logical expression of this belief. Sigismund's perfidy must not be laid down to ecclesiastical obliquity of vision, caused by fanaticism or religious hate: it was but the logical result of the idea of Europe as a Christian commonwealth which might admit of national differences in things temporal, but in things spiritual was subject to the same laws and the same government.

Condemnation of the writings of Wyclif. May 4, 1415.

The question of the abdication of John XXIII. threw the cause of Hus for a time into the background. John's flight on March 20 put the responsibility of Hus's imprisonment in the hands of Sigismund and the Council. For a moment the friends of Hus hoped that Sigismund would use this opportunity and set Hus at liberty. He might have done so with safety, for the Council was now too far dependent upon him to take much umbrage at his doings. But Sigismund had entirely identified himself with the Council, and had no further qualms of conscience about his treatment of Hus; he is even said to have taken credit to himself for his firmness of purpose. There were great fears that the friends of Hus might attempt a rescue;[1] so on March 24 Sigismund handed over the custody of Hus to the Bishop of Constance, who removed him by night, under a strong escort, to the Castle of Gottlieben, two miles above Constance, on the Rhine, where he was kept in chains. On April 6 a new commission, at the head of which were the Cardinals of Cambrai and St. Mark, was appointed to examine the heresies of Wyclif and Hus. As the Council was anxious to have this matter ready to hand when it had finished its conflict with John XXIII., it again transferred, on April 17, the examina-

[1] Letter in Palacky, *Gesch. von Böhmen*, iii. 1, 339: 'De Hus fuit periculum ne eriperetur de carceribus ordinis Prædicatorum situatis ultra muros civitatis, quia custodes jam erant pauci et remissi.'

tion of Hus to another commission, whose members had more leisure than the Cardinals. No time was lost in inaugurating the Council's activity against heresy. In the eighth session, on May 4, Wyclif was condemned as the leader and chief of the heretics of the time. The forty-five articles taken from Wyclif's writings were condemned as heretical; two hundred and six others, which had been drawn up by the ingenuity of the University of Oxford, were declared heretical, erroneous, or scandalous; the writings of Wyclif were ordered to be burnt; his memory was condemned, and it was decreed that his bones be exhumed and cast out of consecrated ground.

Protest of Hus's friends. May 16–31, 1415.

The friends of Hus saw that if they hoped to save him they must act promptly. On May 16 a petition was presented to the Council, signed by Wenzel of Duba, John of Chlum, Henry of Latzenborck, and other Bohemian nobles in Constance, praying for Hus's release from prison, on the ground that he had come voluntarily with a safe-conduct to plead on behalf of his opinions, and had been thrown into prison unheard, in violation of the safe-conduct, though heretics condemned by the Council of Pisa were allowed to come and go freely. There were replies and counter-replies, which only embittered the enemies of Hus. At last, on May 10, an answer was given by the Patriarch of Antioch, on behalf of the Council, that they would in no case release from prison a man who was not to be trusted, but that, in answer to the request for a public audience, the Council would hear him on June 5.

Administration of the Communion under both kinds in Bohemia.

If Hus's cause had been prejudged by the Council when he was put in prison, everything that had happened since then had only strengthened the conviction that Hus and his opinions were most dangerous to the peace of the Church. The news from Bohemia told that the revolt against ecclesiastical authority was rapidly spreading. After the departure of Hus the chief place amongst his followers was taken by one Jakubek of Mies, who attacked the custom of the Church by preaching the necessity of the reception of the Eucharist under both kinds. The question had previously been raised by Mathias of Janow, but in obedience to the Archbishop of Prag had been laid aside. Jakubek, not content with holding a disputation before the university in defence of his views, proceeded to administer the Communion under both kinds in

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several churches in Prag, heedless of the Archbishop's excommunication. There was some difference of opinion on this question amongst Hus's followers in Bohemia, and the opinion of Hus was requested.[1] Hus gave his opinion in favour of Jakubek, on the ground that the Communion under both kinds was more in accordance with the teaching of St. Paul and the custom of the primitive Church; but it is evident from his way of speaking that he did not consider the question as one of vital importance. However, a letter of his to Jakubek, and Jakubek's answer, which was expressed in imprudent language, fell into the hands of the spies of Michael de Causis, and were used to prove still more clearly the dangerous character of Hus.[2]

Capture of Jerome of Prag. May 23, 1415.

Moreover, the friends of Hus showed a zeal in his behalf, which the Council regarded as unseemly, if not suspicious. Hus wrote to warn them to curb their desire to come and visit him. One of them, Christian of Prachatic, was imprisoned on the accusation of Michael de Causis, and was only released on Sigismund's intervention, who had a special care for him as a learned astronomer. Hus's warnings, however, did not prevent his fiery scholar, Jerome of Prag, from venturing secretly to Constance. Jerome was the knight-errant of the Hussite movement, whose restless activity spread its influence far and wide. Sprung from a noble family, he represented the alliance between Hus and the Bohemian aristocracy. He studied at Heidelberg, Köln, Paris, and Oxford, and wandered over Europe in quest of adventures. He had been imprisoned as a heretic at Pesth and at Vienna, and had only escaped through the intervention of his noble friends and of the University of Prag. He had dreamed of a reconciliation between the Bohemian reformers and the Greek Church. Violent and impetuous in all things, he hastened to Constance, where he kept himself hid, and on April 7 posted on the church doors a request for a safe-conduct, saying that he was willing to appear before the Council and answer for his opinions. On April 17 the Council cited him to appear within fifteen days, giving him a safe-conduct

[1] Letter of John of Chlum (Palacky, *Documenta*, 86): 'Quia fratrum adhuc aliqualis est scissio, et propter illud multi turbantur, ad vos et arbitrium vestrum juxta scripta quædam se referentes.'

[2] Letter of Hus to Peter Mladenowic. *Documenta*, 87.

against violence, but announcing the intention of proceeding legally against him. Jerome already repented of his rashness; he judged it wiser to return to Prag, but was recognised when close on the Bohemian frontier, at Hirschau, was made prisoner and was sent back to Constance, where he arrived on May 23. He was led in chains by his captor to the Franciscan monastery, where a general congregation of the Council was sitting. Jerome was asked why he had not appeared in answer to the citation, and answered that he had not received it in time to do so; he had waited for some time, but had turned his face homewards in despair before it was issued. Angry cries arose on every side, for Jerome's keen tongue and fiery temper had raised him enemies wherever he had gone. Academic hatred blazed up; the hostility of the Nominalists against the Realistic philosophy was proved to be no inconsiderable element in the opposition to the tenets of Wyclif and Hus. Gerson exclaimed, 'When you were at Paris, you disturbed the University with false positions, especially in the matter of universals and ideas and other scandalous doctrines.' A doctor from Heidelberg cried out, 'When you were at Heidelberg you painted up a shield comparing the Trinity to water, snow, and ice.' He alluded to a diagram which Jerome had drawn out to illustrate his philosophic views, in which water, snow, and ice, as three forms of one substance, were paralleled with the three Persons co-existing in the Trinity. Jerome demanded that his opinions be proved erroneous; if so, he was willing humbly to recall them. There were loud cries, 'Burn him, burn him.' 'If you wish my death,' he exclaimed, 'so be it, in God's name.' 'Nay,' said the chivalrous Robert Hallam, Bishop of Salisbury, 'Nay, Jerome; for it is written, "I will not the death of a sinner, but rather that he be converted and live."' In the midst of general confusion Jerome was hurried off to prison in the tower of St. Paul's Church—a dark and narrow dungeon where he could not see to read, and was treated with the utmost rigour.

Different positions of Hus and of the Council.

The hopes of Hus and his friends fell lower and lower, as the months of his imprisonment went on. The Commissioners of the Council plied Hus with questions and framed their indictment against him. Hus laboured hard to prepare his defence, and still found time to write little tractates for the use

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of his friends and even of his guards. His own desire was that he might have the opportunity of defending his opinions openly. So entirely were they the expression of his whole moral nature, that he could not imagine it possible for anyone to consider that the frank expression of such opinions was really culpable.

But the Council saw no reason for listening to Hus's explanations. In their mind his guilt was clear; his writings contained opinions contrary to the system of the Church; he had openly acted in defiance of ecclesiastical authority, and had taught others to do the same. It was useless to give such an one another opportunity of raising his voice. The Council that had just been victorious over a Pope thought it beneath its dignity to waste time over a heretic. The very fact of the overthrow of John XXIII. made the condemnation of Hus more necessary. If the Council had been compelled by the emergency to overstep the bounds of precedent in its dealings with the Pope, Hus afforded it an opportunity of showing Christendom how clearly it distinguished between reform and revolution; how its anxiety to amend the evils of the Church did not lead it to deviate from the old ecclesiastical traditions. The real state of affairs was accurately expressed in the advice given to Hus by a friend who was a man of the world: 'If the Council were to assert that you have only one eye, though you have two, you ought to agree with the Council's opinion.' Hus answered, 'If the whole world were to tell me so, I could not, so long as I have the reason that I now enjoy, agree without doing violence to my conscience.'[1] Hus had the spirit of a martyr, because he had the singleness of character which made life impossible if purchased by the overthrow of his moral and intellectual sincerity.

First audience of Hus. June 5, 1415.

So when, on June 5, the fathers of the Council assembled in the refectory of the Franciscan Convent, they came to condemn Hus, not to hear him. Before Hus was brought in, the report of the Commissioners appointed to examine his case was read. A Bohemian, looking over the reader's shoulder, saw that it ended in a condemnation of various articles taken from Hus's writings. When John of Chlum and Wenzel of Duba heard this they went to Sigismund, who was not present at the congregation, and besought him to interfere. Sigismund was

[1] From a letter of Hus in Palacky, *Documenta*, 102.

moved to send Frederick of Nürnberg and the Pfalzgraf Lewis to request the Council not to condemn Hus unheard, but to give a careful hearing to his defence. The friends of Hus objected that the articles against Hus were taken from garbled copies of his writings, and they laid before the Council Hus's original manuscript of the 'De Ecclesia' and other works, on condition that they should be safely returned.

After these preliminaries, Hus was brought in. He admitted that the manuscripts which he was shown were his; he added that if they were proved to contain any errors, he was ready to amend them. The first article of his accusation was then read, and Hus began to answer it. He had not proceeded far before he was stopped by cries on all sides. It was not the Council's notion of a defence that the accused should discuss the standard of orthodoxy, or bring forward quotations from the Fathers in proof of each of his opinions. To them the rule of faith was the Church, and the Church was represented by the Council. It was for them to say what opinions were heretical or erroneous. The only question in Hus's case was whether or no he owned the opinions of which he was accused. 'Have done with your sophistries,' was the cry, 'and answer yes or no.' When he quoted from the writings of the early Fathers, he was told that was not to the point: when he was silent, his foes exclaimed, 'Your silence shows assent to these errors.' The more sober members decided the Council to defer for two days the further hearing of Hus.

Second audience of Hus. June 7, 1415.

At the second audience, June 7, Sigismund was present, and there was greater order, owing to a proclamation, in the name of the King and the Council, that anyone crying out in a disorderly way would be removed. The first point on which Hus was accused was his view of the Sacrament of the Altar, about which Hus denied, as he always had done, that he shared Wyclif's views. Peter d'Ailly, who was president at the session, tried to discuss the question on philosophical grounds, and to prove that Hus, as a realist who believed in universals, could not accept the true doctrine on the subject. The English, who had been experienced in this question since Wyclif's days, took a great share in the discussion. At last one of them brought it to an end by declaring that these philosophical points had nothing to do with the matter: he declared himself satisfied

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with the soundness of Hus's opinion on this point. There was some warmth in the discussion, and many spoke at once, till Hus exclaimed, 'I expected to find in the Council more piety, reverence, and order.' This exclamation produced silence, for it was a quiet appeal to the mandate against interruption: but D'Ailly resented the remark, and said, 'When you were in your prison, you spoke more modestly.' 'Yes,' retorted Hus, 'for there at least I was not disturbed.'[1]

The discussion then passed into an attempt to discover what was the nature of the evidence by which a man's opinions were to be determined. Cardinal Zabarella remarked to Hus that, according to Scripture, 'In the mouth of two or three witnesses shall every word be established': as on most points there were at least twenty witnesses who deposed against Hus, it was difficult to see what he could gain by denying the charges. Hus answered, 'If God and my conscience witness for me that I never taught what I am accused of teaching, the testimony of my opponents hurts me not.' To this Cardinal d'Ailly observed with truth, 'We cannot judge according to your conscience, but according to the testimony laid before us.' Here, in fact, lay the inevitable difference in point of view that made the trial of Hus seem, in his own eyes, to be a mere mockery of justice.

The discussion wandered on aimlessly. Hus was accused of defending Wyclif and his doctrines, of causing disturbances in the University of Prag and in the kingdom of Bohemia. Cardinal d'Ailly quoted, in support of the charge of sedition, a remark by Hus when he was first brought before the Cardinals, that he had come to Constance of his own free will, and if he had not wished to do so, neither the King of Bohemia nor the King of the Romans could have compelled him. Hus answered, 'Yes, there are many lords in Bohemia who love me, in whose castles I could have been hid, so that neither King could have

[1] I assign this incident to Hus's second audience, though most writers, following Von der Hardt, iv. 307, put it down to the first. Von der Hardt quotes a letter of Hus, dated June 27, in which he is making a general complaint against the Council; but a letter which Palacky dates June 7 (*Documenta*, 108), and which clearly refers to the second audience, because it mentions the presence of Sigismund, narrates this event as occurring then. Mladenowic, in his *Relatio* (*Doc.* 282), records the reproof of D'Ailly, but not the exclamation of Hus.

compelled me.' D'Ailly cried out on such audacity; but John of Chlum rose and said sturdily, 'What he speaks is true. I am but a poor knight in our kingdom, yet I would willingly keep him for a year, whomsoever it pleased or displeased, so that no one could take him. There are many great lords who love him and would keep him in their castles as long as they chose, even against both Kings together.'

Attitude of Sigismund.

John's remark was noble and brave and true, but it was not politic. The King of the Romans, the disposer of Christendom, the idol of the Council, sat by with wrath and heard the bitter truth about his mightiness, and was publicly braved for the sake of an obscure heretic. President d'Ailly saw an opportunity for closing triumphantly this unprofitable wrangle. Turning to Hus, he said, 'You declared in prison that you were willing to submit to the judgment of the Council: I advise you to do so, and the Council will deal mercifully with you.' Sigismund, smarting under the affront of John of Chlum, publicly abandoned Hus. He told him that he had given him a safe-conduct for the purpose of procuring him a hearing before the Council. He had now been heard: there was nothing to be done but submit to the Council, which, for the sake of Wenzel and himself, would deal mercifully with him. 'If, however,' he continued, 'you persist in your errors, it is for the Council to determine what it will do. I have said that I will not defend a heretic; nay, if anyone remained obstinate in heresy, I would, with my own hands, burn him. I advise you to submit entirely to the Council's grace, and the sooner the better, lest you be involved in deeper error.' Hus thanked Sigismund—it must have been ironically—for his safe-conduct, repeated his vague statement that he was willing to abandon any errors about which he was better informed, and was conducted back to his prison.

Third audience of Hus. June 8, 1415.

The audience was continued next day, June 8, when thirty-nine articles against Hus were laid before the Council: twenty-six of them were taken from the treatise 'De Ecclesia,' the remainder from his controversial writings. Hus's manuscript was before the Council, and each article was compared with the passages on which it was founded: D'Ailly observed on several articles that they were milder than Hus's words justified. The articles chiefly turned on Hus's conception of the Church as

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the body of the predestinated, and the consequent dependence of ecclesiastical power on the worthiness of him who exercised it. Hus objected to several of the articles, that they did not properly express his meaning, were taken out of connexion with the context, and paid no attention to the limitations which had accompanied his statements. To the article that 'a wicked pope or prelate is not truly a pastor,' Hus put in a limitation that he meant they were not priests so far as their merits went, but he admitted that they were priests so far as their office was concerned. To back up this fine distinction, he urged the case of John XXIII., and asked whether he were really a Pope, or really a robber. The Cardinals looked at one another and smiled, but answered, 'Oh, he was a true Pope.' The whole proceeding was wearisome and profitless, for the Council had no doubt that Hus's teaching as a whole was opposed to all order, and they had in their favour the practical argument of the Bohemian disturbances. It was useless for Hus to palliate each separate article and urge that there was a sense in which it might have an orthodox meaning.

In spite of his attempts to be cautious, Hus occasionally betrayed the revolutionary nature of his views if pushed to the extreme. When the article was read, 'If a pope, bishop, or prelate be in mortal sin, he is not a true pope, bishop, or prelate,' Hus urged the words of Samuel to Saul, 'Because thou hast rejected the word of the Lord, He hath rejected thee from being king.' Sigismund at the time was talking in a window with Frederick of Nürnberg and the Pfalzgraf Lewis; there was a cry, 'Call the King, for this affects him.' When Sigismund had returned to his place, Hus was asked to repeat his remark. Sigismund with truth and pertinence remarked, 'Hus, no one is without sin.' Peter d'Ailly was resolved not to let slip the opportunity of showing the danger attending Hus's opinions if they were extended to political as well as religious matters. 'It was not enough for you,' he exclaimed, 'by your writings and teaching to throw down the spiritual power; you wish also to oust kings from their places.'

At length the reading of the articles and their attestation was ended. D'Ailly, as president, addressed Hus: 'There are two ways open for your choice. Either submit yourself entirely to the mercy of the Council, which, for the sake of the King of

the Romans and the King of Bohemia, will deal kindly with you; or, if you wish further to maintain your opinions, an opportunity will be given you. Know, however, that there are here many learned men, who have such strong reasons against your articles that I fear if you attempt to defend them further you will be involved in graver errors. I speak as an adviser, not as a judge.' There were cries on all sides urging Hus to submit. He answered, 'I came here freely, not to defend anything obstinately, but to submit to better information if I was wrong. I crave another audience to explain my meaning, and if my arguments do not prevail, I am willing to submit humbly to the information of the Council.' His words awakened the anger of many. 'The Council is not here to inform, but to judge; he is equivocating,' was cried out on all sides. Hus amended his words: he was willing to submit to their correction and decision. On this D'Ailly at once rose, and said that sixty doctors had unanimously decided on the steps which Hus must take: 'He must humbly recognise his errors, abjure and revoke the articles against him, promise never to teach them again, but henceforth to preach and teach the opposite.' Hus answered that he could not lie and abjure doctrines which he had never held, as was the case with some of the articles brought against him. Hereon a verbal dispute arose about the meaning of abjuration, which Sigismund tried to settle by the remark that he was ready to abjure all errors, but this did not imply that he had previously held them. Cardinal Zabarella at last told Hus that a written form of abjuration would be submitted to him, and he could make up his mind at leisure. Hus demanded another chance of explaining his doctrines; but Sigismund warned him that two courses only were open—either he must abjure and submit to the Council's mercy, or the Council would proceed to assert its rights. A desultory conversation followed. At last Palecz, moved in some way by the solemnity of the occasion, rose and protested that in promoting the cause against Hus he had been actuated by no personal motive, but solely by zeal for the truth. Michael de Causis said the same. Hus answered, 'I stand before the judgment-seat of God, who will judge both you and me after our deserts.' He was then taken back to his prison.

The laymen quickly left the Council chamber, and Sigismund

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Incautious confidences of Sigismund.

remained talking in the window with some of the chief prelates. The Bohemians, John of Chlum, Wenzel of Duba, and Peter Mladenowic, remained sadly behind the rest, and so heard Sigismund's conversation. With indignation and dismay they heard him urge on the fathers Hus's condemnation. There was more than enough evidence, he said; if Hus would not abjure, let him be burned. Even if he did abjure, it would be well to inhibit him from preaching again, as he could not be trusted; they must make an end of the matter, and root out all Hus's followers, beginning with Jerome, whom they had in their hands. 'It was only in my boyhood,' ended Sigismund, 'that this sect arose in Bohemia, and see how it has grown and multiplied.' The prelates agreed with the King's opinion, and Sigismund retired satisfied with his acuteness in turning things to his own advantage. He thought that vigorous measures on the part of the Council would overawe the turbulent spirits in Bohemia, and would spare him much trouble when the time came that he inherited the Bohemian crown. The unguarded words that he spoke lost him his Bohemian kingdom for ever. Sigismund might have been forgiven for refusing to come into collision with the rights of the Council by insisting on the observance of his safe-conduct; he could never be forgiven for joining the ranks of Hus's foes and hounding on the Council to condemn him. As King of the Romans he might have duties which brought him into conflict with the wishes of the Bohemians; he was discovered secretly using his influence against them, and striving to crush what the Bohemians longed to assert. The insult to the nation, of inciting the Council to root out errors from Bohemia, was deeply felt and bitterly resented. The people steeled their hearts to assert that they would not have this man to rule over them.[1]

Attempt to induce Hus to retract.

An attempt was made to bring Hus to retract. Some member of the Council,[2] whom Hus knew and respected, was chosen to submit to him a formula of retractation, setting forth, 'though many things are laid to my charge which I never thought, yet I submit myself concerning all such points, either drawn from my books or from the depositions of witnesses, to

[1] Peter Mladenowic, *Relatio*, in Palacky, *Documenta*, 314.

[2] We do not know who this was; he is merely addressed by Hus 'Reverende Pater.' Palacky, *Doc.* 121.

the order, definition, and correction of the Holy Council.' Hus answered that he could not condemn many truths which seemed to the Council scandalous; he could not perjure himself by renouncing errors which he did not hold, and so scandalising Christian people who had heard him preach the contrary. 'I stand,' he ended, 'at the judgment-seat of Christ, to whom I have appealed, knowing that He will judge every man, not according to false or erroneous witness, but according to the truth and each one's deserts.' There was no longer any attempt at special pleading. Hus asserted against authority the rights of the individual conscience, and removed his cause from the tribunal of man to the judgment-seat of God. A new spirit had arisen in Christendom when a man felt that his life and character had been so definitely built up round opinions which the Church condemned, that it was easier for him to die than to resign the truths which made him what he was.

There was but one course open to the Council, yet it hesitated to proceed to the condemnation of Hus. On June 15 it turned its attention again to the innovations introduced into Bohemia by Jakubek of Mies, in the administration of the Eucharist. It issued a decree declaring the administration under both kinds to be heretical, because opposed to the custom and ordinance of the Church, which had been made to prevent irregularities. Hus, in his letters to his friends, did not scruple to call this decree mere madness, in that it set the custom of the Roman Church against the plain words of Christ and of S. Paul.[1] He wrote also to Havlik,[2] who had taken his place as preacher in the Bethlehem Chapel, exhorting him not to withstand Jakubek's teaching in this matter, and so cause a schism among the faithful by paying heed to this decree of the Council. Hus set himself more and more decidedly against the Council, and all efforts to induce him to submit were unavailing. Even Palecz, the friend of Hus's

Decree against the administration of the Communion under both kinds. June 15, 1415.

[1] 'O quanta dementia evangelium Christi, epistolam Pauli, . . . et factum Christi . . . condemnare! . . . O Sancte Paule! tu dicis omnibus fidelibus "Quotienscunque manducabitis panem hunc et calicem bibetis, mortem domini annuntiabitis, donec veniat:" hoc est usque diem judicii in quo veniet; ut ecce, jam dicitur, quod consuetudo Romanæ ecclesiæ est in oppositum.'—Palacky, *Doc.* 126.

[2] Palacky, *Doc.* 128, dated June 21.

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youth and now his bitterest foe, visited him in prison and besought him to abjure. 'What would you do,' said Hus, 'if you were charged with errors which you knew for certain that you never held? Would you abjure?' 'It is a hard matter,' answered Palecz, and burst into tears. It was characteristic of Hus that he asked to have Palecz as his confessor, for he was his chief adversary. Palecz shrank from the office, but paid his former friend another visit, and excused himself for the part that he had taken against him.

Hus bids adieu to his friends.

Hus resolutely prepared to die, and wrote to bid farewell to his various friends in Bohemia and at Constance. A tranquil yet determined spirit breathes through his letters; the charm of his personal character is seen in the tenderness and thoughtfulness of the messages which he sends.[1] Repeated deputations from the Council vainly endeavoured to prove to him the duty, the easiness, of recantation. At last, on July 1, a formal answer in writing was returned by Hus to the Council. He said that, fearing to offend God, and fearing to commit perjury, he was unwilling to retract any of the articles brought against him. On July 5, at Sigismund's request, the Bohemian nobles, John of Chlum and Wenzel of Duba, accompanied the representatives of the Council on a last visit to Hus. John of Chlum manfully addressed him, and his words are a strong proof of the sturdy moral spirit which Hus had awakened in his followers: 'We are laymen and cannot advise you; consider, however, and if you feel that you are guilty in any of the matters laid to your charge, have no shame in recanting. If, however, you do not feel yourself guilty, by no means act contrary to your conscience, and do not lie in the sight of God, but rather persevere unto death in the truth which you know.' Hus answered: 'If I knew that I had written or preached anything erroneous, contrary to the law and the Church, God is my witness that I would in all humility retract. But my wish always has been that better doctrine be proved to me out of Scripture, and then I would be most ready to recant.' One

[1] Thus: 'D. Henricum Lefl utique petas quod Jacobo scriptori det unam sexagenam, quam sibi promisit.' Palac. *Doc.* 120: 'Nobilis domine Wenceslae, uxorem accipiendo, sancte vivatis in matrimonio, postpositis vanitatibus seculi.' *Id.* 125: 'Petre, amice carissime, pellicium tibi serva in mei memoriam.' *Id.* 147.

of the Bishops said indignantly, 'Will you be wiser than the whole Council?' Hus answered, 'Show me the least member of the Council who will inform me better out of the Scriptures, and I will forthwith retract.' 'He is obstinate in his heresy,' exclaimed the prelates, and Hus was led back to his prison.

Formal condemnation of Hus. July 6, 1415.

Next day, July 6, was a general session of the Council in the Cathedral, which Sigismund attended in royal state. During the celebration of mass Hus was kept standing in the porch with an armed escort. He was brought in to listen to a sermon on the sin of heresy from the Bishop of Lodi. He was stationed before a raised platform, on which was a stand containing all the articles of a priest's dress. During the sermon Hus knelt in prayer. When the sermon was over a proctor of the Council demanded sentence against Hus. A doctor mounted the pulpit and read a selection from the condemned articles of Wyclif and the conclusions of the process against Hus. More than once Hus tried to answer to the charges, but he was ordered to keep silence. He pleaded that he wished to clear himself of error in the eyes of those who stood by; afterwards they might deal with him as they chose. When he was forbidden to speak he again knelt in prayer. The number and rank, but not the names, of the witnesses to each charge, together with a summary of their testimony, was then read. Hus was aroused by hearing new charges brought against him—amongst others the monstrous assertion that he had declared himself to be the Fourth Person of the Trinity. He indignantly asked the name of the one doctor who was quoted as witness, but was answered that there was no need of naming him now. When he was charged with despising the Papal excommunication and refusing to answer the Pope's summons, he again protested that he had desired nothing more than to prove his own innocence, and had for that purpose come to Constance of his own free will, trusting in the Imperial safe-conduct. As he said this he looked fixedly at Sigismund, who blushed through shame.

Hus degraded from the priesthood.

After this recital of his crimes, the sentence of the Council against Hus was read. First his writings, Latin and Bohemian, were condemned as heretical and ordered to be burnt. Hus asked how they could know that his Bohemian writings were heretical, seeing they had never read them. The sentence

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went on, that Hus himself as a pertinacious heretic be degraded from the priesthood. When the reading of the sentence was over, Hus prayed aloud: 'O Lord Jesus Christ, pardon all my enemies, for Thy great mercy's sake, I beseech Thee. Thou knowest that they have falsely accused me, brought forward false witnesses and forged false articles against me. Pardon them through Thy immense mercy.' The Archbishop of Milan, with six other Bishops, proceeded to the formal degradation of Hus. He was set on the platform in the middle of the Cathedral, and was invested in the full priestly dress, with the chalice in his hand. Again he was exhorted to retract. He turned to the people, and, with tears streaming down his face, said, 'See how these Bishops expect me to abjure: yet I fear to do so, lest I be a liar in the sight of the Lord—lest I offend my conscience and the truth of God, since I never held these articles which witness falsely against me, but rather wrote and taught the opposite. I fear, too, to scandalise the multitude to which I preached.'

Death of Hus. July 6, 1415.

The Bishops then proceeded to his degradation. Each article of his priestly office was taken from him with solemn formality, and his tonsure was cut on four sides. Then it was pronounced, 'The Church has taken from him all rights of the Church; and commits him to the secular arm.' The paper cap, painted over with fiends, was put on his head, with the words, 'We commit your soul to the devil.' Sigismund gave him to the charge of Lewis of Bavaria, who handed him to the civic officers for execution. As the procession passed out of the church Hus saw his books being burned in the churchyard. He was led out of the town into a suburb called Brüel, where in a meadow the stake had been prepared. To the last he asserted to the bystanders that he had never taught the things laid to his charge. When he was bound to the stake and Lewis of Bavaria again begged him to recant, Hus answered that the charges against him were false: 'I am prepared to die in that truth of the Gospel which I taught and wrote.' As the pile was kindled Hus began to sing from the Liturgy:—

> O Christ, Son of the living God, have mercy upon us;
> O Christ, Son of the living God, have mercy upon me;
> Thou who wast born of the Virgin Mary—

The wind swept the flames upward into his face, and he remained speechless. His lips were seen to move for a few minutes and then his spirit passed away. The attendants took great care that his body was all reduced to ashes. His clothes, which, according to custom, belonged to the executioner, were bought from him by Lewis of Bavaria, and were also burned. The ashes were flung into the Rhine: it was determined that Bohemia should have no relics of her martyr.

Fairness of Hus's trial.

Hus died protesting against the unfairness of his trial. It is indeed impossible that a trial for opinions should ever be considered fair by the accused. He is charged with subverting the existing system of thought: he answers that some modification of the existing system is necessary, and that his opinions, if rightly understood, are not subversive, but amending. Into this issue his judges cannot follow him. It is as though a man accused of high treason were to urge that his treason is the noblest patriotism. There may be truth in his allegation, but it is a truth which human justice cannot take into account. The judge is appointed to execute existing laws, and till those laws are altered by the properly constituted authority, the best attempts to amend them by individual protest must be reckoned as rebellion. No doubt Hus's Bohemian foes did their best to ruin him; but his opinions were judged by the Council to be subversive of the ecclesiastical system, and when he refused to submit to that decision, he was necessarily regarded as an obstinate heretic. It is useless to criticise particular points in his trial. The Council was anxious for his submission and gave him every opportunity to make it. But it is the glory of Hus that he first deliberately asserted the rights of the individual conscience against ecclesiastical authority, and sealed his assertion by his own life blood.

Effects of the death of Hus on Bohemia. July 3–October 1, 1415.

The Council still had Jerome in their hands, but they were in no haste to proceed against him. The news of the death of Hus kindled in Bohemia the bitterest wrath. It was a national insult, and branded Bohemia in the eyes of Christendom as the home of heresy. The clergy and monks were regarded with hatred as the causes of Hus's persecution. In Prag there was a riot, in which the clergy were severely handled; a crowd of Bohemians ravaged the lands of the Bishop of Leitomysl, who had been especially active in the prosecution of Hus. The

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Council thought it desirable to try and calm the irritation in Bohemia, and on July 23 sent a letter to the Bohemian clergy exhorting them to persevere in the extirpation of heresy. This letter only had the effect of sharpening the antagonism of the two parties in Bohemia. One party drew more closely to the side of the Council and of Catholic orthodoxy; the other more pronouncedly asserted the claims of Bohemia to settle its religious controversies without foreign interference. The Bishop of Leitomysl was sent by the Council to protect the interests of the Church; but so strong was the feeling against him in Bohemia that he felt it wise to stay indoors, and lived in fear of his personal safety.[1]

On September 2 a meeting was held at Prag of sixty-two Bohemian and Moravian nobles, who drew up an angry reply to the Council's letter. They asserted their respect for Hus and their belief in his innocence; they defended Bohemia from the charge of heresy; they branded as a liar and traitor anyone who maintained such a charge for the future; they declared themselves determined to defend with their blood the law of Christ and its devout preachers in Bohemia. This letter received as many as 450 signatures. On September 5 the Hussite lords entered into a formal bond, or covenant, to uphold freedom of preaching in Bohemia, and defend against episcopal prohibition or excommunication all faithful preachers; the University of Prag was recognised as the arbiter in doctrinal matters. On October 1 a similar covenant was entered into by the Catholic nobles to uphold the Church, the Council, and the worship of their forefathers. Wenzel took no steps to prevent these threatenings of disturbance. He was angry at the execution of Hus, which he regarded as a slight upon himself and his kingdom. He was especially angry that it had been done under Sigismund's sanction; for he still regarded himself as King of the Romans, and was indignant at this intrusion of Sigismund into matters concerning the kingdom of Bohemia. Moreover, Queen Sophia grieved over the death of her confessor, whom she revered, and whose genuine piety she knew. Though Wenzel gave a verbal adhesion to the Catholic League, he was not thought to be in earnest.

The fathers of Constance had seen what little impression

[1] Niem, in Von der Hardt, ii. 425.

their severity produced on Hus; they learned that it produced equally little on his followers in Bohemia. Hence there was a general wish to win over Jerome if possible to the Council's side, or, at least, to spare the Council the odium of making another martyr. Every method was used to induce Jerome to retract; till, overcome by the pleadings of men whose character he could not but respect, he consented on September 10 to make his submission to the Council. He wrote to his Bohemian friends that, on examination of the articles against Hus, he found many of them heretical, and on comparing them with Hus's own manuscript writings he had been forced to own that the articles fairly represented Hus's words: he consequently felt bound to admit that Hus had been justly dealt with by the Council; though he wished to defend Hus's honour, he did not wish to be associated with his errors.[1] The Council was proud of its triumph, and caused Jerome to renew his retractation in a more formal manner in a public session on September 23. It also passed a decree against those who assailed Sigismund for violating his safe-conduct to Hus. The decree asserted that 'neither by natural, divine, nor human law was any promise to be observed to the prejudice of the Catholic faith.'

Recantation of Jerome of Prag. Sept. 10, 1415.

Jerome's recantation did not procure his freedom. He was taken back to prison, though his confinement was made much less rigid. The Commissioners who had examined him—Cardinals Zabarella, D'Ailly, Orsini and the Cardinal of Apulia, urged his release; but the Bohemian party dreaded the results of his return to Bohemia, and declared that his retractation was not sincere. Gerson wrote a pamphlet to examine the amount of evidence to be attached to the retractation of one accused of heresy. The fanaticism that had been aroused by antagonism to the Hussites won at Constance the victory which it could not win in Bohemia. The Council determined to proceed against Jerome, and on February 24, 1416, appointed fresh Commissioners to examine witnesses on the points laid to his charge. On April 27 the articles of accusation were laid before the Council. Jerome had not been a writer or preacher like Hus, and his words could not be quoted against him; but every act of his life was set forth as a separate charge. He had been to England, and had brought back the books of

Proceedings against Jerome. February-April, 1416.

[1] Letter to Lacho of Krawar, dated Sep. 12, in Palacky, *Documenta*, 598.

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Wyclif; he had been concerned in all the disturbances in Bohemia; he had rambled over Europe, carrying heresy in his train. Every daring act into which his impetuous temper had led him was now raked up against him. He had interfered to aid a citizen, whose servant was being carried off for some slight cause to a monastery prison, and when the monks attacked him, had snatched a sword from one of the citizens and put them to flight. He had been moved with pity for a young monk whose abbot denied him the necessaries of life, and had accompanied him into the abbot's presence, where he flung off his cowl and rushed away from the monastery. He had slapped the face of a monk who publicly insulted him.

Poggio Bracciolini's account of the trial of Jerome.

Jerome demanded a public audience in which to answer these charges, and on May 23 was brought before the Council. Amongst those present at his trial was the Florentine scholar Poggio Bracciolini, who had come to Constance as secretary to John XXIII. On the dispersal of the Papal household he had wandered for a time in Germany, searching for manuscripts of the classics, and had again returned to Constance to seek his fortune from some patron of learning. Poggio was deeply impressed by the vigorous personality of Jerome, and communicated his impressions in a letter to his friend Leonardo Bruni. As a man of letters and of culture Poggio looked with some slight contempt on the theological disputes of the assembled fathers. As an Italian he found it hard to sympathise with men who thought it worth while to rebel against the system of the Church. To his mind theological questions were not of much importance. The established system must, of course, be maintained for the preservation of order; but, after a decent recognition of its outward authority, the cultivated individual might think or act as he pleased so long as he avoided open collision. Poggio had no fellow-feeling with a man who was prepared to die for his opinions: he thought him clumsy for reducing himself to such an unpleasant alternative. But he was attracted to Jerome by his force, his mental versatility, his fiery self-confidence, his keen wit, and, above all, his philosophic spirit. To Poggio Jerome was an interesting study of character, and he saw the permanent and human interest attaching to the religious martyr. From Poggio's testimony

we are able to bring vividly before our eyes the scene of Jerome's trial.[1]

Trial of Jerome. May 23, 1416.

When Jerome appeared he was called upon to answer to each of the articles brought against him. This he refused for a long time to do, and demanded that he should first state his own case, and then answer his adversaries' allegations. When his claim was overruled he said, 'What iniquity is this, that I, who have been kept in a foul prison for three hundred and forty days without means of preparing my defence, while my adversaries have always had your ears, am now refused an hour to defend myself? Your minds are prejudiced against me as a heretic; you judged me to be wicked before you had any means of knowing what manner of man I was. And yet you are men, not gods; mortals, not eternal; you are liable to error and mistake. The more you claim to be held as lights of the world, the more careful you ought to be to approve your justice to all men. I, whose cause you judge, am of no repute, nor do I speak for myself, for death comes to all; but I would not have so many wise men do an unjust act, which will do more harm by the precedent it gives than by the punishment it inflicts.'

He was heard with murmurs. The articles against him were read one by one from the pulpit. He put forth all his skill and eloquence to plead against their truth. Poggio was amazed at the dignity, openness, and vigour with which he spoke. 'If he really believed what he said, not only could no cause of death be found in him, but not even of the slightest offence.' Sometimes with jest, sometimes with irony, sometimes with sarcasm, sometimes with fiery indignation, sometimes with fervid eloquence, he answered the charges brought against him. When he was pressed on the question of Transubstantiation, and was charged with having said that after consecration the bread remained bread, he dryly said, 'At the baker's it remains bread.' When a Dominican fiercely attacked him, he exclaimed, 'Hypocrite, hold your tongue!' When another made oath on his conscience, he rejoined, 'That is the surest way to deceive.' So numerous were the charges

[1] The letter has been often printed, in Von der Hardt, iii. 64; Poggio, *Opera* 301; Palacky, *Documenta*, 624; and in many other places.

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against him that his case had to be put off for three days, till May 26.

Jerome's second audience. May 26, 1416.

In the next audience the reading of the articles and testimony against him was ended, and Jerome with difficulty obtained leave to speak. Beginning with an humble prayer to God, he began a magnificent defence. Gifted with a sweet, clear, resonant voice, he sometimes poured forth torrents of fiery indignation and sometimes touched the chords of deepest pathos. He set forth the glorious fate of those who in old times had suffered wrongfully. Beginning with Socrates, he traced the persecutions of philosophers down to Boethius. Then he turned to the Scriptures, and from Joseph down to Stephen showed how goodness had met with calumny and persecution. Stephen, he urged, was put to death by an assembly of priests; the Apostles were persecuted as subverters of order and movers of sedition. He pleaded that no greater iniquity could be committed than that priests should be wrongfully condemned to death by priests; yet this had often occurred in the past. Then, turning to his own case, he showed that the witnesses against him were moved by personal animosity, and were not worthy of belief. He had come to the Council to clear his own character; he had hoped that men in these days might do as they had done of old, engage in amicable discussion with a view of investigating the truth. Augustine and Jerome had differed, nay, had asserted, on some points, contrary opinions, without any suspicion of heresy on either side.

Jerome withdraws his recantation.

His audience was moved by his eloquence, and sat expecting that he would urge his retractation and ask pardon for his errors. To their surprise and grief, he went on to say that he was conscious of no errors, and could not retract the false charges brought against him. He had recanted through fear and against his conscience, but now revoked the letter he had written to Bohemia. He looked on Hus as a just and holy man, whose fate he was prepared to share, leaving the lying witnesses against him to answer for their doings in the presence of God, whom they could not deceive. A cry arose from the Council, and many strove to induce Jerome to explain away his words. But his courage had returned, and he was resolved to tread in his master's footsteps to the stake. He repeated his belief in the opinions of Hus and of Wyclif, except in points concerning the

Eucharist, where he held with the doctors of the Church. 'Hus,' he exclaimed, 'spoke not against the Church of God, but against the abuses of the clergy, the pride and pomp of the prelates. The patrimony of the Church should be spent on the poor, on strangers and on buildings; but it is spent on harlots and banquets, horses and dogs, splendid apparel, and other things unworthy of Christ's religion.'

Death of Jerome. May 30, 1416.

The Council still gave him a few days for consideration, but to no purpose. On May 30 he was brought before a general session in the cathedral. The eloquence of the Bishop of Lodi was again called into request to convince the obstinate heretic of the justice of his doom.[1] When the sermon was over Jerome repeated his withdrawal of his former retractation. Sentence was passed against him, and he was led away to be burned in the same place as Hus. Like Hus, he went to die with calm and cheerful face. As he left the cathedral he began to chant the Creed and then the Litany. When he reached the place of execution he kneeled before the stake, as though it had been an image of Hus, and prayed. As he was bound he again recited the Creed, and called the people to witness that in that faith he died. When the executioner was going to light the pile at his back he called to him, 'Come in front, and light it before my face; if I had feared death, I would never have come here.' As the flames gathered round him he sang a hymn till his voice was choked by the smoke. As in the case of Hus, his clothes were burned, and his ashes were cast into the Rhine.

The Council had done all that lay in its power to restore peace in Bohemia.

[1] The sermon is given in Von der Hardt, iii. 55. It is a pretty specimen of arrangement and of style, but is entirely without the feeling which the circumstances might have been expected to inspire.

## CHAPTER VI.

### SIGISMUND'S JOURNEY, AND THE COUNCIL DURING HIS ABSENCE.

### 1415–1416.

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Abdication of Gregory XII. July 4, 1415.

THE Council had displayed its zeal for the promotion of the unity of the Church, both within and without, by deposing a Pope and burning two heretics. But there still remained other pretenders to the Papal dignity, and the trials of Hus and Jerome were only episodes in the more important question of the resignation of the contending Popes.

Gregory XII., weary of the conflict, and seeing himself abandoned on every side, submitted with good grace to abdicate. After a few negotiations about preliminaries, the abdication was formally carried out by Carlo Malatesta, acting as Gregory's proctor, in a general session of the Council, on July 4, 1415. The two Colleges of Cardinals were united, Gregory's acts in the Papacy were ratified, his officials were confirmed in their offices; he himself received the title of Cardinal of Porto and the legation in the March of Ancona for life; he was declared ineligible for re-election to the Papacy, but was to rank next to the future Pope. At the same time a decree was passed that the Council should not be dissolved till it had elected a new Pope.

Departure of Sigismund on a journey of general pacification. July 18, 1415.

There still remained Benedict XIII., who had agreed to be present at a conference at Nice between Ferdinand of Aragon and Sigismund, in June 1415. But the exciting scenes which followed on the flight of John XXIII. obliged Sigismund to defer his departure till July 18. Owing to the illness of the King of Aragon, the place of meeting was changed from Nice to Perpignan. Thither went Benedict XIII. in June, and waited till the end of the month, when he declared Sigismund contumacious and retired to Valencia. Sigismund, in a speech to the Council before his departure, announced his intentions

on a grand scale. He purposed first to appease the Schism, then to make peace between France and England, between Poland and the Teutonic knights; and after this general pacification of Europe, to undertake a crusade against the Turks.[1] It was Sigismund's merit that he formed great plans of European importance; it was his weakness that he never considered what means he had to carry them into execution. To obtain money for this journey, which was to have such mighty results, he was compelled to raise 250,000 marks by making over Brandenburg to the wealthy Frederick, Burggraf of Nürnberg. Frederick had already lent him 150,000 marks, and now, for the additional sum, obtained from the needy Emperor a grant of Brandenburg and the electoral dignity.

Sigismund at Perpignan. Sept. 1415.

Sigismund set out in state with a train of four thousand knights, amid the good wishes of the fathers of the Council, who ordered a solemn procession to be made every Sunday, and mass to be said for his safety. He journeyed over Schaffhausen to Basel, and thence to Chambery and Narbonne, where he arrived on August 15. There he stayed for a month, waiting for the arrival at Perpignan of Ferdinand of Aragon, whose health scarcely permitted the journey. On September 18, he entered Perpignan, where Ferdinand awaited him. Benedict, who had raised objections about a safe-conduct, and had demanded that Sigismund should treat him as Pope, was at length driven by Ferdinand's pressure to appear also towards the end of September. The efforts of Ferdinand and Sigismund could do nothing to bend the obstinate spirit of Benedict to submit to the Council. He answered that to him the way of justice seemed better than the way of abdication. If, however, the Kings thought otherwise, he was ready to abdicate, provided that the decrees of the Council of Pisa were revoked, the Council of Constance dissolved, and a new Council called in some free and impartial place—in the south of France or Aragon. As regarded the election of a new Pope, he claimed that he alone should

[1] This speech of Sigismund's is given in Gerson's sermon to the Council, on July 21 (Von der Hardt, ii. 483). Von der Hardt makes this sermon be delivered before Sigismund's departure, which he therefore puts down to this same day, July 21. But Gerson says of this speech 'priusquam recederet ab hoc concilio orationem habuit;' and Niem (Von der Hardt, ii. 411) says that Sigismund went on July 18. See also the letter of the envoy of the University of Köln, Martene, *Thesaurus*, ii. 1640.

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nominate, as being the only Cardinal appointed by Gregory XI. before the Schism. If that was not acceptable, he would appoint a committee of his Cardinals, and the Council might appoint an equal number of their Cardinals; the new election should be made by a majority in each committee agreeing to the same person. After such election he would abdicate, retaining his Cardinals, with full legatine power over all his present obedience.

Obstinate resistance of Benedict XII.

Benedict was true to his old principles. He had been elected Pope by as good a title as his predecessors, and he saw no reason why he should abandon his legal rights. Threats were useless against his stubbornness. When the Kings of Aragon, Navarre, and Castile threatened him with a withdrawal of obedience if he did not give way, he only grew more determined in his refusal. Sigismund found himself unsafe at Perpignan; his enemies seemed resolved to attack him when he was in a foreign land. A fire suspiciously broke out in a house adjoining his own, and the Infante Alphonso rushed to his rescue with assurances of his father's protection. Some of Sigismund's German followers rode away and left him without giving any reason. A suspicious embassy came from Frederick of Austria, which was said to have two notorious poisoners in its train.[1] Fearing for his personal safety, Sigismund withdrew to Narbonne in the beginning of November, where he was followed by the ambassadors of the Spanish princes and of Scotland. New negotiations were set on foot, and Benedict, seeing himself threatened with a withdrawal of obedience, fled to the neighbouring fortress of Collioure, intending to take refuge in Sardinia; his galleys, however, were destroyed by the ships of the neighbouring ports. Several of his Cardinals, at the request of the King of Aragon, returned to Perpignan, and Benedict, who scorned to yield, retired to the rocky fortress of Peniscola, which belonged to his family. Popular feeling was everywhere turning against him; his staunch upholder—the great Dominican preacher, Vincent Ferrer—went as ambassador to urge Benedict to resign, and on his refusal raised his voice in favour of union with the Council of Constance.

Negotiations went on rapidly between Sigismund and the King of Aragon. At last, on December 13, twelve articles were

[1] These mishaps are told by Windeck, in Mencken, i. 1098.

drawn up at Narbonne between the representatives of the Council and those of Benedict's obedience. It was agreed that the Council of Constance should issue a summons to the princes and prelates of Benedict's obedience to come to Constance within three months and form a General Council; a similar summons was to be addressed by Benedict's obedience to the Council of Constance. When in this way the dignity of both parties had been preserved, the General Council so formed was to proceed to the deposition of Benedict, the election of a new Pope, the reformation of the Church, and the destruction of heresy. Benedict's acts till his first summons to withdraw on November 15 were to be ratified, his Cardinals and other officials recognised by the Council, and a safe-conduct given to himself if he chose to appear.

Articles of Narbonne between the Council and Benedict's obedience. Dec. 13, 1415.

Great was the joy of the Council when, on the evening of December 29, the news of this compact was brought to Constance. Communications with Narbonne had been rare, and rumours of every sort prevailed. The Council found their proceedings a little dull in Sigismund's absence. Commissioners might sit and discuss various questions of Church reform, but it was clear that nothing would be done till Sigismund was back again. The expenses of a stay in Constance began to weigh heavily, and the representatives of universities and other corporations found it necessary to urge on their constituents the importance of the work on which the Council was engaged, and the need of their continued presence at Constance. The first joy of the Council at the good news from Narbonne was a little checked when it came to consider the formalities that had to be gone through before its real business could proceed any further. Sigismund had not obtained, as had been hoped, the resignation of Benedict XIII.; the way was not yet open for ending the Schism; but the union of Spain with the Council would bring about again the union of Christendom. Hopes of ending the Council by Easter 1415 were exchanged for expectations that it might be over in September 1416.[1] The good news that Ferdinand of Aragon had on

Joy at Constance over the news.

[1] These details are taken from the letters of the ambassadors of the University of Köln in Martene, *Thesaurus*, ii. 1654, &c., and the letters of Peter von Pulka, ambassador of the University of Vienna, published by Firnhaber in vol. xv. of the *Archiv für Oesterreichischer Geschichts-Quellen*, p. 39.

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January 6 ordered the publication throughout his dominions of the withdrawal of allegiance from Benedict XIII. hardly compensated for the news that Sigismund proposed to make a journey to Paris and London to arrange for peace between France and England. The ambassadors of the Council, who returned on January 29, assured them of the great use of this step in procuring the unity of the Church, and brought Sigismund's promise that he would return as soon as possible.

Plans of Sigismund.

If Sigismund, before leaving Constance, had set forth as one of his objects the establishment of peace between France and England, events that had happened since then had increased the danger which the union of Christendom was likely to incur from the growth of national animosity. In August 1415 Henry V. had sailed to France, in September had taken Harfleur, and in October had inflicted on the French army the crushing defeat of Agincourt. The Council thought that Sigismund's presence was consequently more than ever necessary at Constance to keep the peace and hasten on the business. But Sigismund had his own ends to serve while serving the Council. He had already succeeded in asserting anew the glories of the Imperial name in the affairs of the Church; he was equally resolved to assert it in the politics of Europe. His scheme of uniting Europe in a crusade against the Turk might be a dream; but at least it was a noble dream. In matters more immediately at hand—the full reunion and reform of the Church—Sigismund saw that nothing could be done on a satisfactory basis unless Europe were agreed. As bearing the Imperial name, Sigismund resolved to try and unite Europe for this purpose. It is true that he had little save the Imperial name to support him in his good intentions; yet, if his plan succeeded, he would work a lasting result for the good of Christendom, and would assert the old prestige of the Empire.

Sigismund in Paris. March–April, 1416.

Full of hope, he entered Paris on March 1, 1416, and was received with splendid festivities. But the fierce antagonism of the Burgundian and Orleanist factions had been intensified by the national discomfiture, and Sigismund found that in the disturbed state of Paris he could obtain no definite understanding: what one party accepted the other refused. Yet Sigismund tried his utmost to win the French Court to his projects: he offered to wed his daughter Elizabeth with the second son of Charles VI.,

and so make him heir to the Hungarian throne, as he had no male offspring.[1] When he found that he could do nothing in Paris, he pursued his way to England, and even on his journey was treated with contumely at Abbeville and Boulogne. It was clear that there was a strong party in France which had no wish for peace.

Failure of Sigismund's peace project. Aug. 1416.

Sigismund arrived in London on May 3, and there also great festivities were held in his honour. He took with him William, Duke of Holland, an ally of England, a relative of the French King, and consequently likely to be trusted by both parties. Henry V. was willing to accept Sigismund's offer of mediation and agree to a truce for three years, on condition of retaining Harfleur, a small compensation for the glorious campaign of Agincourt. Preliminaries were agreed to, and a conference between the three monarchs was arranged; but suddenly negotiations were broken off by the successful intrigues of the Count of Armagnac. William of Holland abruptly left England, and Sigismund found his mediation ignominiously disavowed. Sigismund was bitterly disappointed, and was placed in an awkward situation by this sudden change in the policy of France. Public opinion in England regarded him with grave suspicion, and he was entirely in the hands of Henry V. The Imperial honour had been sullied and the Imperial dignity outraged in this negotiation, from which Sigismund had hoped so much. He wrote angrily to the French King, and withdrew from further complicity in his affairs.[1] He had indeed cause to be aggrieved, for he had not merely failed, but his failure threatened to be disastrous. He could not return to Constance crestfallen and discredited; he could not even leave England suspicious of his good intentions.

Alliance of Sigismund and Henry V. Aug. 15; 1416.

One course only remained open for him—to abandon his alliance with France, and draw nearer to England. Henry V., on his part, was ready enough to renew the policy of Edward I. and Edward III., of forming an alliance with Germany against France. On August 15 Sigismund concluded at Canterbury an offensive and defensive alliance with Henry V., on the ground that the

[1] Letter of Sigismund to the King, in Caro, *Aus der Kanzlei Kaiser Sigismund's* (Wien, 1879), p. 120.

[2] This long and interesting letter, which serves as the basis for the above account, is printed by Caro, p. 109, &c.

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French favoured the Schism of the Church, and opposed all efforts to make peace with England.[1] It was an event of no small importance in European politics; it was a breach of the long-standing friendship between France and the house of Luxemburg—a friendship which Sigismund's grandfather, John of Bohemia, had sealed with his blood on the field of Crecy. At the end of August Sigismund went to Calais, where Henry V. soon joined him, and again a conference for peace was held; to it came the Duke of Burgundy, who, in his hatred against the Court of Armagnac, was ready to listen to Henry V.'s proposals for a separate alliance. When the conference was over Sigismund bethought himself of returning to Constance. He was so short of money that he had to send his trusty servant, Eberard Windeck, to Bruges to pawn for 18,000 ducats the presents which he had received from Henry V. and his Court.[2] From Calais he went by sea to Dordrecht, and then made his way slowly up the Rhine to Constance, where he arrived on January 27, 1417, after an absence of nearly a year and a half.

Return of Sigismund to Constance. Jan. 27, 1417.

Great was the delight of the Council at Sigismund's return; he was met outside the wall, and was escorted in solemn procession to the cathedral. But the account of his reception shows us how strong an element of discord the national animosity between the French and English had introduced into the Council. The English observed with pride that Sigismund wore round his neck the Order of the Garter; and the Bishop of Salisbury, after meeting Sigismund, rode hastily away to the cathedral, that he might frustrate Peter d'Ailly, and get possession of the pulpit for the purpose of delivering a sermon of welcome. Sigismund, on his side, did not scruple to manifest in a marked way his wish for a good understanding with the English. On January 29 he received the English nation at a private audience, shook hands with each of its members, praised all that he had seen in England, and assured them of his wish to work with them for the reformation of the Church.[3] On Sunday, January 31, he wore the robes of the Garter at high mass, and was afterwards entertained by the English at a magnificent banquet, which was enlivened by a miracle play representing

[1] Rymer, *Fœdera*, ix 377, &c. [2] Windeck, in Mencken, i. 1113.

[3] These details are given in an interesting letter of the English ambassador, John Forester, to Henry V., in Rymer, *Fœdera*, ix. 434.

the birth of Christ, the adoration of the Magi, and the massacre of the Innocents.

Appointment of the first Reform Commission. July 14.

During Sigismund's absence from Constance the Council had been unanimous only in condemning Jerome of Prag of heresy. The rest of its business had advanced but slowly. It is true that at the end of July a commission had been appointed to report upon the measures necessary for a reform of the Church in head and members. The commission consisted of thirty-five members, eight from each of the four nations, and three Cardinals, D'Ailly, Zabarella, and Adimari.[1] There was no lack of material for the labours of the commissioners sermons, memoirs, and tractates furnished them with copious lists of grievances. But the difficulty was to decide where to begin. All were anxious to do something; but each regarded as sacred the interests of his own order, and it was impossible to attack the fabric of abuses without endangering some of the props which supported the existing organisation of the hierarchy. The general outline of the reforming scheme was clear and simple enough: it was a demand that the Pope should live on his own revenues, should abstain from interference in episcopal and capitular elections and presentations to benefices throughout Christendom, and should not unnecessarily interfere with episcopal or national jurisdictions. All these questions were really questions of finance, and the times were not favourable to serious financial reform. The Papal dominions in Italy were in the hands of the invader, and there was little revenue which could at that time be said to belong indisputably to the Pope. If the Pope were to be prohibited from making any demands on ecclesiastical revenues, he would be left almost penniless, and the Cardinals who depended on him would be destitute. Moreover, the Pope's claims to raise money were the sign of the recognition of his supremacy, and it was difficult to forbid his extortion without impairing his necessary authority. The College of Cardinals during Sigismund's absence regained its prestige and influence in the Council, and had a direct and personal

[1] The letter of the ambassador of the University of Köln, dated Aug. 1, says: 'Sex deputati de qualibet quatuor nationum.' Pulka in Firnhaber, 28, says: 'Octo de qualibet natione,' which agrees with the title of the report in Von der Hardt, i. 583, 'Avisamenta per xxxv Cardinales, prælates et doctores.'

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interest in preventing any unreasonable diminution of the Papal revenues or of the Papal power. The reform commission found it necessary to proceed slowly and cautiously: they could only obtain unanimity on unimportant points; when they discussed matters of graver moment it was a question what was to be allowed to remain in the present necessity.

Complaint of the French nation against Annates.

The tax which the French were most anxious to see reformed was the one called Annates, which included all the payments demanded by the Curia on the collation to a benefice. Such dues seem to have had their origin in the custom of making presents to those who officiated at ordinations, a custom which the Papacy had organised into a definite tax on all bishops and abbots, whose nomination passed through the Papal Consistory;[1] the tax was levied upon a moderate assessment of the yearly value of their revenues in the books of the Consistory. During the Schism this source of revenue was extended, it is said by the ingenuity of Boniface IX., to all benefices, and incoming incumbents were in every case required to pay half the revenues of the first year to the Pope, under a penalty of excommunication if they refused. The abolition of this oppressive impost was loudly demanded by the French deputies in the commission; but the Cardinals offered determined opposition to their pleadings, and urged that annates were the chief support of the Pope and the College of Cardinals; if they were abolished at present the Pope and Cardinals would be left penniless. Their opposition so far weighed with the representatives of the other nations that they agreed to allow this question to stand over. In truth, the question of annates affected France more closely than any other kingdom, as the necessity of supporting a Pope during the Schism had weighed most heavily on France. England had withstood the attempts of Boniface IX. to extend the payment of annates to all benefices, and the old payment only was made by bishops. In Italy benefices were of small value,

[1] This payment consisted of two parts, the 'servitia communia,' which was divided between the Pope and the Cardinals, and the 'servitia minuta,' which went to the lower officials of the Chancery. On this complicated subject see Phillips, *Kirchenrecht*, v. 557, &c. A tax roll for the assessment of annates, of the date of about 1460, is given by Döllinger, *Beiträge zur politischen, kirchlichen und Cultur-Geschichte*, ii. 1, &c.; it contains much curious statistical information.

and the civic communities knew how to protect themselves against Papal aggression; in Germany the bishops were more powerful than in France, and so could defend themselves. The French complained that they paid more than all the other nations put together, and bore the burden and heat of the day.[1] This might be true; but when a proposal was made to substitute for annates a yearly tax of one-fiftieth of the value of all benefices above ten ducats for the maintenance of the Curia, we are not surprised that the more favoured nations hesitated to adopt the new scheme.[2]

Failure of the movement for the abolition of annates.

The French were not so ready as the other nations to let the question of annates stand over. When they found that they were beaten in the commission, they tried to bring pressure to bear upon that body by taking action in their own nation. Accordingly on October 15, 1415, the French nation discussed the question for themselves. Their debates were tumultuous, and extended over seven sittings, as each man gave his vote and stated his reasons separately. At last on November 2, the majority was declared to be in favour of the abolition of annates, and the appointment of a commission to consider the means of making a fair provision for the Pope and Cardinals in their stead. This conclusion was communicated to the other nations, and their co-operation was invited to carry it out; but the Italians entirely rejected the proposal, and the Germans and English did not think it advisable to discuss the matter at that time. The Cardinals called on the Procurator Fiscal of the Apostolic See to lodge a protest against the proposal as an encroachment on the Papal rights. The French replied by setting forth at length their grievances; but nothing was done. The failure of this first attempt at common action in the matter of reform damped the ardour of the most advanced reformers, and showed the Cardinals their strength as a compact body when opposed to varying national interests.

After this effort of the French the Reform Commission was

[1] See *Collatio Cleri Gallicani*, in Bourgeois du Chastenet, 409–78. Also *Apostoli venerabilis nationis Gallicanæ*, in *Preuves des Libertés de l'Eglise Gallicane*, ch. xxii., where the facts are stated.

[2] This proposal, which gives a detailed calculation of the estimated expenses of the reformed Curia, is printed by Döllinger, *Beiträge*, ii. 321. There is no date, and perhaps the document was drawn up later, but the scheme was probably discussed at this time.

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left to continue its labours in peace. On December 19 the German nation moved that the Council proceed to consider measures to put down simony; but no practical steps were taken.

Lethargy of the Council about reform. Dec. 1415-April, 1416.

Even on the question of the reform of the Benedictine Order agreement was so difficult that, though the Council definitely appointed Commissioners on February 19, 1416, the matter was allowed to stand over. On April 5 Sigismund wrote from Paris to the Council, begging them to suspend all important matters till his return, and meanwhile to employ themselves with considering the reform of the clergy, especially in Germany. He recommended for their consideration such points as the manners, dress, and bearing of the clergy, and the prevention of hereditary claims over the lands of the Church. He urged them also to reconsider their proceedings in the matter of Jean Petit.

Opinions of Jean Petit.

This last question was, in fact, the only one in which the Council had shown any ardour, and it was simply a transference to Constance of the political animosity by which France was convulsed. As the struggle in Bohemia between the Tchecks and Germans had made its way to the Council Chamber, so the struggle in France between Orleanists and Burgundians penetrated into matters which craved for ecclesiastical decision. Louis of Orleans, brother of Charles VI. of France, had been murdered in 1407, and there was no doubt that the murder had been instigated by his opponent, the Duke of Burgundy. It might have been expected that such an act would have met with reprobation at the hands of those who were the guardians of public morality. But Louis of Orleans had been the supporter of Benedict XIII., who was the opponent of the policy of the University of Paris, and had shown himself willing to diminish its privileges and importance. One of the doctors of the University, Jean Petit, made an apology for the Duke of Burgundy before the helpless King on March 8, 1408. He justified his patron by a series of ingenious sophistries which affected the very foundations of political society. He set forth that any subject who plots against the welfare of his sovereign is worthy of death, and that his culpability is increased in proportion to his high degree. Hence it is lawful, nay, meritorious, for anyone, without waiting for an express command,

but relying on moral and divine law, to kill such traitor and tyrant, and the more meritorious in proportion to his high degree. Promises which are contrary to the welfare of the Sovereign are not binding, and ought to be set aside; nay, dissimulation is justifiable if it renders easier the death of the traitor. Besides enunciating these propositions, Petit assailed the memory of the Duke of Orleans, and accused him of sorcery and evil practices to compass the King's death. Arguments might serve for a time to justify, in the opinion of his partisans, one who was master of the situation. But the moderate party in the University, headed by Gerson, looked with alarm on the enunciation of principles which they considered subversive both of moral and political order. So long as the Duke of Burgundy was supreme they could do little to make their voices heard; but, when in 1412 the Armagnac party succeeded in driving the Duke of Burgundy from Paris, they were eager to justify the memory of the murdered Duke of Orleans and fix a moral stigma on their opponents. In 1413 the Bishop of Paris summoned a Council to examine the doctrines of Petit, who had died two years before. After some deliberation nine propositions drawn from the writings of Petit were condemned in February 1414, and his book was publicly burned. The Duke of Burgundy appealed against this decision to the Pope, and John XXIII. deputed three Cardinals to examine the matter. Their deliberations were yet pending when the Council was summoned, and so this important controversy was transferred to Constance. The representatives of the University of Paris were chosen from those opposed to the views of Petit; the Burgundian ambassadors were ordered to prevent Petit's official condemnation. It was this state of parties that led John XXIII. to hope for help against the Council from the Duke of Burgundy, and the Council was by no means anxious to alienate so powerful a prince.

Condemnation of Petit by the Bishop of Paris. 1413.

As soon, however, as the Council was rid of all fear from John XXIII., and by its proceedings against Hus had shown its zeal to maintain the purity of the faith, Gerson pressed for the condemnation of the doctrines of Petit. On June 15, 1415, a commission was appointed to examine the matter; and as Sigismund was anxious to have something decided before he went away, the Council on July 6, the same day on which it

Moderating action of the Council towards Petit's opinions. 1415.

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condemned Hus as a heretic, passed a decree which it hoped might be an acceptable compromise in the matter of Jean Petit. The decree set forth that the Council, in its desire to extirpate all erroneous opinions, declares heretical the assertion that any tyrant may be killed by any vassal or subject of his own, even by treachery, in despite of oaths, and without any judicial sentence being passed against him. The decree made no mention of France or of Petit; it was purely general, and did not go into the details of Petit's arguments, but merely condemned an abstract proposition without any reference to the events which called it forth.

Quarrel of Gerson and the Burgundian party.

Gerson was indignant at this lenient treatment of Petit, especially when contrasted with the severity shown at the same time towards Hus. He asserted that if Hus had been allowed an advocate, he would never have been condemned.[1] He went so far in his indignation as to say that he would rather be tried by Jews and heathens than by the Council. He entered with strong personal warmth into the controversy, and was not content to let it rest, although the prospect of a war with England made the French Court anxious that nothing should be done which could alienate the Duke of Burgundy. He pressed for a further decision on Petit's propositions, and involved himself in a dispute with the Bishop of Arras, who argued that they concerned points of philosophy and politics rather than theology. Gerson carried his zeal beyond the limits of discretion, and wearied the Council with his repeated expostulations. Naturally the Council did not like to be told that they, who had not spared a Pope, ought not, through fear of a prince, to desert the defence of the truth. Taking advantage of this feeling, a Franciscan, Jean de Rocha, presented before the Commission for Matters of the Faith twenty-five articles drawn from Gerson's writings, which he declared to be heretical. The Bishop of Arras similarly accused of heresy Peter d'Ailly. The Council which was the scene of such proceedings had entirely lost its moral force. When the learned fathers of the Church tried to brand as heretics those who took the opposite side in national politics, we cannot wonder that the condemnation of Jerome of Prag by such a tribunal did not at once carry conviction to the rebellious Bohemians. They had some grounds at least for arguing

[1] Gerson, *Op.* v. 444.

that the wisest of the Council, Gerson and D'Ailly, were eager for the condemnation of Hus, that it might pave the way for the condemnation of Petit,—that Gerson's suspicions of the sincerity of Jerome's recantation were sharpened by the feeling that his own orthodoxy was not above attack.

Action of the Cardinals towards Petit's case. 1416.

It would seem that the majority of the Council were heartily wearied of this question, and in the beginning of 1416 there was a general request that the Commissioners on Matters of Faith should pronounce an opinion, one way or the other, on the nine propositions of Petit. But the matter was further complicated by the action of the Cardinals Osini, Zabarella, and Pancerini, who had been deputed by John XXIII. to consider the appeal of the Duke of Burgundy against the decision of the Council of Paris. They now gave their judgment on that appeal, and quashed the proceedings of the Parisian Council on grounds of informality. It had proceeded in a matter of faith of which only the Pope could take cognisance, and also had not summoned the accused parties, but had founded its judgment on passages which were not authentic writings of Petit. The Cardinals seem to have taken this step from a desire to reserve the whole question for the decision of a future Pope.

Opinion in the Council on Petit's propositions.

But in France the position of parties had again changed. After the defeat of Agincourt, the Orleanists represented the national and patriotic party, and the Duke of Burgundy had to flee to Flanders. The Orleanists possessed themselves of the royal authority, and in the King's name pressed for the condemnation of Petit. On March 19 they appealed from the decision of the Commissioners to that of the Council. The Commissioners in their defence published the opinions of canonists which they had collected : twenty-six were in favour of condemning Petit, sixty-one were against the condemnation. It may seem to us monstrous that such should have been the result. But the Council had already pronounced its decision against the general principle of the lawfulness of tyrannicide, and many thought that it was undesirable for political reasons to go farther. Many regarded the question as not properly a theological question, and objected to its decision on purely theological grounds ; many regarded it as a mere party matter in which the Council would do well not to meddle. Moreover, the question in itself admitted of some doubt in a time when

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political institutions were in a rudimentary stage. Political assassinations wore a different aspect in days when the destinies of a nation might rest on the caprice of an individual. Classical and biblical antiquity supplied instances of tyrannicide which won the admiration of posterity. Many felt unwilling in their hearts that the Church should absolutely forbid conduct which it could not be denied was sometimes useful.

Still Gerson pursued his point, and the struggle between himself and the Bishop of Arras waxed warmer. Sigismund wrote from Paris urging that the decision of the three Cardinals against the proceedings of the Bishop of Paris should be recalled; but the Cardinals wrote back a justification of their own conduct. The weary controversy still went on and occupied the time and energies of the Council. It awakened such strong feeling that the Burgundian prelates separated themselves from the rest of the Gallican nation. Gerson flung himself entirely into this question, and so diminished the influence which his learning had previously gained him at Constance. The Council would not decide the matter, but preferred to leave it for the future Pope. Gerson exclaimed that no reformation could be wrought by the Council, unless it were under a wise and powerful head.[1] When Sigismund returned to Constance, Gerson hoped that he would use his influence to have the matter settled. But the change which the English alliance had wrought in Sigismund's political attitude made him unwilling to offend the Duke of Burgundy. The French prelates remained in a state of gloomy dissatisfaction, and the animosities which this dreary question had raised destroyed the unanimity of the Council and did much to hamper its future labours.

Incorporation of Aragon with the Council. Oct. 15, 1416.

Nor was this the only cause of disunion in the Council. The assembled Fathers were eagerly waiting the opportunity of finishing their greatest and most important task, the restoration of the unity of the Church. For this purpose they needed the incorporation of the Spanish kingdoms and the formal deposition of Benedict XIII. The death of Ferdinand of Aragon on April 2, 1416, caused some delay in sending ambassadors;

[1] *Dialogus Apologeticus;* Gerson, *Op.* ii. 392: 'Video quod ecclesiæ reformatio nunquam fiet per Concilium sine præsidentia ductoris affectati bene, prudentis simul et constantis.'

and his successor, Alfonso V., though anxious to carry out his father's plans, was not in a position to do so at once. Not till September 5 did the Aragonese envoys arrive, and they were at first unwilling to join the Council till they had been joined by the representatives of Castile. At length their scruples were overcome, and on October 15 a fifth nation, the Spanish, was constituted in the Council. But this process was not completed without difficulties which portended future troubles. First the Portuguese, who had joined the Council on June 1, protested against the formation of a Spanish nation as disparaging the honour of Portugal, which claimed to be a nation by itself. Next the Aragonese claimed precedence over the English, and the English protested against their claim. The French then allowed the Aragonese to sit alternately with themselves, protesting that they did so without prejudice to the dignity of the French nation.

Discord of French and English. Nov., Dec., 1416.

The alliance thus made between the French and Aragonese was used by the French as a means of annoying the English. The Aragonese raised the question of the right of the English to be considered a nation. Loud hissings were heard in the Council Chamber at this attempt to introduce a spirit of faction, and the Aragonese ambassadors left the room. The question was dismissed, but the ill-feeling created by it remained; the English and French wore arms in the streets, and there was constant fear of an open collision. So serious was the discord that, on December 23, a Congregation continued wrangling till late at night, and then fell to blows, so that the Pfalzgraf Lewis and Frederick of Nürnberg had to be hastily summoned to preserve order.

This was the state of things that awaited Sigismund on his arrival at Constance, and his change of political attitude during his absence deprived him of the power to exercise any moderating influence upon the discord which wasted the energies of the Council.

## CHAPTER VII.

### THE COUNCIL OF CONSTANCE AND THE ELECTION OF MARTIN V.

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Politics of the Council.

WE may feel that the conflicts which agitated the fathers at Constance displayed a petty spirit and an undue attention to formal matters, yet they were more truly the signs of the growth of strong national feelings that were affecting European politics. The ideal unity of the Church when embodied in a European congress could not rise superior to the actual antagonisms of contending nations. Indeed the very question that called the Council together was in its origin political; the Schism in the Church had arisen through the desire of France to secure the Papacy on the side of her own national interests. An experience of the evils of the Schism had led Europe to wish to end it by the arbitration of a General Council. On the question of the union of the Church there had been at Constance practical unanimity; but when that point was on a fair way to solution the same unanimity was no longer to be expected in other matters. The very nature of the questions which the Council next took in hand shows the strength of national sentiment. The condemnation of Hus was not merely a matter of faith; it was a step towards suppressing the movement of the Tchecks against the Germans in Eastern Europe. The question of Jean Petit was a transference to Constance of the struggle of parties which was rending France asunder. In like manner the deadly contest between France and England carried its national antagonism into the affairs of the Council.

It is true that there was no question of doctrine or of ecclesiastical practice round which this contest could rage; for that very reason it sought expression in trivial matters, and the point of the constitution of the Council opened up a wide field to technical ingenuity. It would have been a difficult

matter to arrange with any definiteness a scheme for the representation of united Christendom, nor was this ever attempted at Constance. The constitution of the Council was established in a haphazard way at the beginning; the organisation into four nations had been practically accepted at a time when the Council was anxious to proceed to business and assert its position against John XXIII. The incorporation with the Council of the Spanish kingdoms gave the French an opportunity of discussing the general organisation of Christendom, and so aiming a blow at the pride and honour of England. The leader of the French in this attack was Peter d'Ailly, who probably had ulterior objects in view, and was glad of an opportunity for educating his nation to follow his lead.[1] If feeling ran high between the French and the English during Sigismund's absence, it ran higher when on his return he showed signal marks of favour to his new allies.

Protest of the French against the rights of the English nation. March 3, 1417.

Accordingly the French determined to open a formal attack upon the English; and on March 3, 1417, the ambassadors of the French King laid before the Council a protest, which set forth that England was not a nation that ought to rank as equal to Italy, France, Germany, or Spain, which all contain many nations within themselves. The Constitutions of Benedict XII. had recognised in Christendom four nations, and an ecclesiastical assembly ought to abide by the Papal Constitutions. Those four nations were the Italian, German, French, and Spanish; and now that the Spanish nation had joined the Council, the English should be added to the German nation, with which they were counted in the Bull of Benedict XII. Neither according to its political nor its ecclesiastical divisions was England equal to the other four nations. It had been allowed to count as a nation before the coming of the Spaniards to keep up the number of nations to four. But now that the Council became a new Council, it ought to revise its former arrangements for the conduct of its business. The French therefore demanded either that the English should be added to

[1] So Forester, writing to the English King, in Rymer, ix. 434; 'the Cardinal Cameracence, chief of the Nation of France and your special enemy;' so, too, letter of Appleton (id. 438): 'Cardinalis Camerocensis nationem Anglicanam, a principio hujus Concilii capitali odio continuo persequens, ymmo nationis Anglicanæ nomen, ne vocem tanquam inter cæteras nationes haberet, totis conflatis viribus supprimere et prorsus extinguere.'

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the German nation; or if it was considered necessary to keep up a distinct English nation, then that the other nations should be divided according to their respective governments; or else that the method of voting by nations should be entirely done away.

Answer of the English. March 30, 1417.

While this protest was being read to the Council hisses and loud exclamations of dissent were heard. Sigismund interposed to prevent the reading from being finished, on the ground that it was entirely contrary to the customary procedure for anything to be read in the Council which had not previously been approved by the Nations. Moreover, as Protector of the Council, he ordered that thenceforth nothing be brought forward in public sessions to the prejudice of the Council, especially such things as might hinder the union of the Church. But the English were not content with this vindication. They put forth their learning to answer the arguments of the French, and on March 30 handed in to the Council a written reply, in which they styled themselves 'the ambassadors of the King of England and France,' and called the French King 'our adversary of France.' They proved, first, that the Constitution of Benedict XII. was not dealing with a division of Christendom into nations, but solely with a method of arranging episcopal visitations and chapters of Benedictines. They retaliated with crushing statistics the charges of the French about the smallness of the English kingdom compared with France. Eight kingdoms were subject to the English Crown,[1] not counting the Orcades and other islands to the number of sixty, which by themselves were as large as the kingdom of France. The realm of the English king contained 110 dioceses, that of the French King only 60. Britain was 800 miles long, or forty days' journey, and France was not generally supposed to have such a great extent. France had not more than 6,000 parish churches, England had 52,000. England was converted by Joseph of Arimathea, France only by Dionysius the Areopagite. The proposal to put England and Germany together was entirely

[1] Von der Hardt, v. 86:—'Attamen substantialiter præter Ducatus, terras ac insulas et dominia in numero copioso, sunt regna 8, videlicet Anglia, Scotia, Wallia, quæ tria majorem integrant Britanniam, regnum etiam de mari et in Hibernia, juxta Angliam, quatuor regna magna et notabilia, videlicet *Catholicum, Calense, Moraniæ et Menechatene.*' I cannot identify these last four names; but the text is obviously corrupt, and they probably represent divisions of Ireland.

absurd, as these two nations comprised between them almost half Christendom. The natural, as well as canonical, division of nations was into northern, southern, eastern, and western; the English were at the head of the northern group, the Germans of the eastern, the Italians of the southern, and the French and Spanish were left to make up the western. The English on these grounds branded the arguments of the French as empty and frivolous, and protested against any change being made which might affect the position of the English nation. The protest was received by the Council, and no attempt was made to change the constitution of the nations. Indeed the procedure of the French can scarcely have been intended seriously, but was merely an affront to the English, and a step in the education of the French party in opposition to Sigismund's influence.

Citation of Benedict XIII. Jan. 1417.

By the side of these altercations the great business of the Council, the deposition of Benedict XIII., was slowly proceeding. On November 5, 1416, after the arrival of the Aragonese ambassadors, Commissioners were appointed to receive evidence against Peter de Luna on the charges of breaking his promises and oaths, and throwing obstacles in the way of the union of the Church. So quickly did the Commissioners do their work that on November 28 a citation was issued to Benedict to appear personally at Constance within seventy days after receiving the summons. Two Benedictine monks were sent to serve the citation. They made their way to Peniscola, and were received by Benedict's nephew with 200 armed men, who escorted them into Benedict's presence on January 22, 1417. The old man looked at the black monks as they approached, and said, 'Here come the crows of the Council.' 'Yes,' was the muttered answer, 'crows gather round a dead body.' Benedict listened to the reading of the citation, uttering from time to time indignant exclamations, 'That is not true,' 'They lie.' He repeated his old proposals—that a new Council should be summoned, and that he should elect the new Pope. He haughtily asserted that he was right and that the Council was wrong. Grasping the arm of his chair, he repeated, 'This is the ark of Noah.' The determination of Benedict XIII. was as unbroken as ever; the world might abandon him, but he would remain true to himself and his dignity.

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Demand of Castile for a settlement of the preliminaries for a Papal election. March 30, 1417.

On March 10 the Council received the account of their ambassadors to Benedict XIII., and on April 1 declared him guilty of contumacy. Commissioners were appointed to examine the charges against him and hear witnesses. But final sentence could not be passed till the union of the Spanish kingdoms with the Council had been accomplished, and this formal act was again made the occasion of raising serious questions. The ambassadors of Castile only arrived in Constance on March 29; but Castile was not very firm in its allegiance to the Council, and its envoys seem willingly to have lent themselves to the projects of the Curial party. The English suspected Peter d'Ailly of getting hold of them for his own purposes, and using the incorporation of Castile as the means of accomplishing his plan of identifying the French nation with the party of the Cardinals. At all events, the Castilians declared themselves on the side of the Curial party, and demanded as a condition of their incorporation with the Council that the preliminaries of a new Papal election should be settled.[1]

Question of the procedure of the Council.

This demand raised at once a question that had long been simmering. The Council had met for the threefold purpose of restoring the unity of the Church, purging it from heresy, and reforming it in head and members. In the deposition of the three contending Popes and the condemnation of the opinions of Wyclif and Hus there had been practical unanimity; but the question of reform was likely to lead to greater differences of opinion, and the proceedings of the Reform Commission showed the difficulties which were in the way. Men were not agreed whether the reformation should be dealt with in a radical or in a conservative spirit; if it were to be done radically, it must be done by the Council before the election of a new Pope; if it were to be done tenderly, a Pope must first be elected to look after the interests of the Papacy and the Curia. The circumstances attending the opening of the Council had created a precedent for approaching burning questions in the technical form of discussing which should be undertaken first. John XXIII. was defeated on the question of precedence between the cause of union and the cause of faith; when the Council de-

[1] We are justified in inferring that this was the doing of D'Ailly from his sermon preached on Whit Sunday, May 30, arguing in favour of the course proposed by the Castilians. Hardt, iv. 1329

cided to undertake the union of the Church before discussing the heresies of Hus, the fate of John XXIII. was practically decided. In the first flush of the Council's triumph over the Pope the cause of reform seemed to have a promising future; but the absence of Sigismund, the long period of inactivity, and the growing heat of national jealousies afforded an opportunity to the Curial party which they were not slow to use. The proceedings relative to the deposition of John XXIII. warned the Cardinals of their danger if a revolutionary spirit were to prevail, and during Sigismund's absence the Cardinals drew closely together, and obtained a powerful influence over the Council. They knew that they could count on the allegiance of the Italian nation, and their policy was to take advantage of any disunion in the ranks of the other three nations. Such an opportunity had been afforded by the discontent of a section of the French nation at the proceedings about Jean Petit, and still more by the national animosity between the French and English, which had been increased by Sigismund's political change. The incorporation of the Spanish kingdoms afforded the Curial party a chance of trying their strength. On the incorporation of Aragon they raised the question of the constitution of the Council; next on the incorporation of Castile they raised the question of the Council's business. This they did in the recognised form of a discussion about priority of procedure; ought not one point to be finished before another was undertaken? Ought not the unity of the Church to be definitely restored by a new election before the more doubtful subject of reform was taken in hand? This was the point which the Castilians were induced to raise, and their request brought to a crisis a number of conflicting opinions which weighed differently with different nations and classes in the Council.

Parties in the Council.

First of all, there were strong political differences which Sigismund's alliance with England brought prominently into the foreground at Constance. The French regarded Sigismund with suspicion after his political change. Yet during the vacancy of the Papacy Sigismund was sure to be the most powerful person in the Council: he was its Protector; it was in his hands; he could bring pressure to bear upon it at his will. The French began to doubt whether it was wise to help the

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English and Germans, whom they regarded as their national foes, to arrange the condition of the future Pope. The Schism had arisen from the influence exercised by France over the Papacy; and France had only laid aside her claims because they were a source of embarrassment rather than of profit. Yet France could not allow her influence to pass to Germany, and did not wish to prolong a Council which might again establish the Imperial supremacy in Christendom, especially when the Emperor was in close alliance with England. The forthcoming Papal election would be an event of considerable political importance, and Sigismund must not be allowed to influence it for his own purposes. To these political reasons were added considerations arising directly from the question of reform itself. Men discovered that it was not a matter to be undertaken lightly, and that declamations against abuses were not easily converted into schemes of redress. In the foreground of Papal abuses were the exaction of annates and the collation to benefices; but an attempt to abolish annates aroused the deepest apprehension of the Cardinals and Curia, who asked how they were to be maintained without them. Similarly the attack on the Papal collations to benefices alarmed the Universities, whose graduates found that the claims of learning were more liberally recognised by the Popes than by Ordinaries immersed in official business. The University of Paris had had experience of this truth during the period of withdrawal of obedience from Benedict XIII.; it had complained, and had been met with delusory promises. Many members of the academic party thought that a reform would be more tenderly accomplished after the election of a Pope who would advocate his own cause.

Moreover, there was much plausibility in the cry that another matter ought not to be undertaken till the main object of the Council was accomplished. It had decided to undertake first the cause of unity. It had advanced so far as to get rid of the rival claimants; why should it hesitate to accomplish its work, and confer on the Church one undoubted head? Delay was fraught with danger; there was at present a unanimity which might soon be destroyed. The Council had already sat so long as to weary the patience of those who were still detained at Constance. Growing weariness and disputes about the

reformation question might make the Council dwindle entirely away before the Papal elections were decided, and so all might still be left in doubt, and a schism worse than the first again desolate Christendom. In the disturbed state of Europe war might break out in the neighbourhood, and the Council be broken up by force, or be deprived suddenly of supplies. It was a serious risk to keep the important matter of the new election undecided in the face of all the contingencies that might happen.

There was a good deal of force in these arguments of temporary expediency—enough to impress the waverers; but the real question was whether the reformation of the Church was to be seriously undertaken or not. Sigismund sincerely desired it; the party of the Curia were determined to resist by all means in their power. All depended on the success of either side in gaining adherents. Sigismund was allied with Henry V. of England, and was sure of the co-operation of the English Nation. Henry V. kept an observant watch on affairs at Constance, sent his instructions to the five bishops who were at the head of the English nation, and commanded that all his liegemen should follow the directions of the bishops, or else leave Constance under penalty of forfeiture of all their goods.[1]

Change of attitude of the French nation.

Perhaps this very resoluteness of the English and Germans made it easy for the Curial party to win over the French. The alliance of England and Germany was adverse to the interests of France; why should France support it in the Council? Under the name of a reform in the Church, the Papacy might be brought under German influence, might be turned into a political instrument against France. We can only guess at these causes for the adhesion of France to the Curial party, which we find an accomplished fact within a few months after the return of Sigismund. The records of the Council deal only with its sessions and its congregations; we know little of the proceedings within the separate nations, and have nothing save general considerations to guide us in this matter.

It is, however, noticeable that the most important man amongst the French was also the most important man amongst the Cardinals, and Peter d'Ailly seems to have been the means of winning over the French nation to the side of the Curial

[1] Letter to the bishops, dated July 18, 1417, in Rymer, ix. 466.

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party. It is true that so late as November 1416 D'Ailly had pressed for a reform of the Church, which he declared was a matter concerning the faith, and not to be considered separately. But D'Ailly had never been very famous for consistency, and had shown a capacity for turning with the tide, and conciliating opposing interests. He had accepted from Benedict XIII. the bishopric of Cambray, without deserting the party of the University of Paris; he had received from the Pope the Cardinal's hat, without ceasing to be a royal ambassador in opposition to the Pope. He had been one of the most manful upholders of the right of the Council to proceed against John XXIII., yet had protested against the action of the Council in asserting its superiority to the Pope. He had pressed for reform before a Papal election, but had no difficulty in assuring himself that reform would be more safely accomplished under the Papal presidency. In the case of Germany and England the influence of their kings was strong enough to keep the nations united in their policy, whatever individual difference of opinion may have existed in their ranks. France had no such head; it would have been difficult for the king—even if his policy had been decided—to enforce unanimity on the representatives of the French nation; as it was, he had no interest to do so. The influence of the University of Paris, which had so long been predominant in matters ecclesiastical, was now broken. The affair of Jean Petit had ended in the defeat of Gerson and the purely academic party, and Gerson's heat in this matter had ruined his influence. D'Ailly's position as a Cardinal led him to grow more and more conservative in the matter of reform, and the national hostility of France against Germany and England enabled him to bring the French nation to join in opposition to their revolutionary schemes.

Disturbance at Constance about the order of business. April–June, 1417.

In this state of parties the Castilians were induced to raise the question which was to decide the scope of the future activity of the Council; and the Cardinals strained every nerve to give a decisive proof of their strength. Besides the demand for a settlement of the preliminaries of a new Papal election, the Castilians formally asked for a guarantee of freedom to the Council, and the French seized upon this as an occasion to harass Sigismund, by pressing for a more ample form of safe-conduct. The Cardinals made a formal declaration that they had enjoyed per-

fect freedom, save in their assent to the decree forbidding the election of a Pope without the consent of the Council; this they had accepted, not through any pressure from Sigismund, but through fear of being branded as schismatics if they objected. Men were greatly alarmed at this equivocal utterance; it was a covert threat that unless the Cardinals were respected in the future, they might cast a doubt upon the legitimacy of what had been done in the past.[1]

Accordingly, there was great confusion at Constance. Projects for the regulation of the new election were broached and rejected. Complaints were made about want of freedom; the city magistrates were asked to protect the Council; protests were lodged against unworthy treatment; and in the midst of the consequent confusion, the Cardinals urged the acceptance of their proposals about the new election as the one means of restoring peace. Sigismund, however, managed to avert the entire dissolution of the Council. The Castilians were somewhat alarmed at the violence of the storm which they had raised; they were not really desirous of the failure of the Council, and Sigismund prevailed on them, on June 16, to withdraw their conditions and unite themselves to the Council.

Compromise of July 11, 1417.

Peace, however, was not restored. The Cardinals took advantage of some complaint that the judges of the Council had overstepped their powers. The French, Italian, and Spanish nations joined them in another attack upon Sigismund. They protested that they were not in full enjoyment of their liberty, and would take no further part in the Council, till they had ample guarantees for freedom. Sigismund naturally objected to grant a demand which cast a reflection upon the past proceedings of the Council. Again discord raged for some weeks, till both parties were weary, and agreed on July 11 to a compromise, which was proposed by the ambassadors of Savoy. Sigismund granted an ample assurance of the freedom of the Council on condition that the order of procedure was fixed to be, first, the deposition of Benedict XIII.; next, the reform of the Church in its head and in the Curia; thirdly, a new Papal election.[2] The Cardinals had so far triumphed as to reserve for the new Pope the reformation of the Church in its general features;

[1] See letter of Pulka of June 16, in Firnhaber, p. 50.

[2] The document is in Martene, *Thesaurus*, ii. 1677, &c

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Sigismund retained the important point that the reformation of the Papacy and of the Curia should precede the appointment of an undoubted Pope. The struggle ended for the time; but the compromise was of the nature of a truce, not of a lasting peace. Sigismund's position had been forced, and after giving way so far he might be driven to give way still more.

Deposition of Benedict XIII. July 26, 1417.

When in this way agreement had been again restored, the Council proceeded to the deposition of Benedict XIII. On July 26 he was again cited, declared contumacious, and sentence was passed against him. It declared that, after examining witnesses, the Council pronounced him to be 'perjured and the cause of scandal to the universal Church, a favourer of inveterate schism, a hinderer of the union of the Church, a heretic who had wandered from the faith;' as such he was pronounced unworthy of all rank and dignity, deprived of all right in the Papacy and in the Roman Church, and lopped off like a dry bough from the Catholic Church. This sentence was published throughout Constance amid general rejoicings. The bells were rung, the citizens kept holiday, and Sigismund's heralds rode through the streets proclaiming the sentence.

Report of the first Reform Commission. Oct. 8, 1416.

Now that the union of the Church had been established, there remained for the Council only the question of reform, in accordance with the agreement made between Sigismund and the Cardinals. For this purpose the report of the Reform Commission was ready as a basis for discussion. The Commission had continued its labours till October 8, 1416, and had drawn up its conclusions in a tentative form. First came six chapters, dealing with the reformation of the Curia, providing for the holding of future Councils with power to depose wicked and mischievous Popes, defining the duties of the Pope and his relations to the Cardinals, fixing the number of Cardinals at eighteen and prescribing their qualifications. On these points the Commissioners seem to have been agreed, as their conclusions were drawn up in the shape of decrees for the Council to pass. Then came a number of petitions for reform which were put into a shape that might admit of discussion. The report ended with a number of protocols which seem to contain a summary of suggestions and questions raised before the Commissioners.[1]

[1] There are two editions of this report, in Von der Hardt, i. 583, &c.; see the excellent criticism of Hübler, *Die Constanzer Reformation*, ii., &c.

But the points, taken all together, touch only on the removal of crying and obvious abuses—dispensations, exemptions, pluralities, appeals to Rome, simony, clerical concubinage, non-residence of bishops and the like. None of them affect the basis of the Papal system or try to alter the constitution of the Church where it was proved to be defective. They contain little which a provincial synod might not have decreed, nothing which was worthy of the labours of a General Council.

Appointment of a second Reform Commission.

Even this report, harmless as it was, was not taken into the Council's consideration. Such was the respect paid to technicalities, that a report drawn up before the incorporation of the Spanish kingdoms was not considered to be of sufficient authority for the newly-constituted assembly to discuss. It would have been possible to continue the Commission with the addition of Spanish representatives; but the Council wanted to gain time, and there was some plausibility in the objection that such a Commission would be unwieldy through its numbers. Accordingly, a new Commission of twenty-five doctors and prelates, five from each nation, was appointed to revise the work of their predecessors.[1] This they proceeded to do; and while they were busy with their labours, the Curial party had leisure to renew their attack upon the compromise which had so lately been accepted.

The Cardinals press for a Papal election. Sept. 9, 1417.

When once the prospect of a new Papal election was in view, it was natural that men should wish for its accomplishment. Many must have felt shocked in their inmost hearts at the anomalous state of things that existed in the Church. Many more were swayed by motives of self-interest, and felt that promotion was to be gained from a Pope, but nothing from the Council. All were wearied with their long stay in Constance, and wished to see a definite end to their labours. Moreover, the talk about a new election intensified national jealousy and suspicion. It was easy to raise an outcry that Sigismund was using the Council for his own purposes and meant to finish his design by securing his hold upon the Papacy, when he and the victorious Henry V. would be arbiters of the destinies of Europe.[2] The Cardinals had formed their

[1] Their report is given in Von der Hardt, i. 650. It bears the heading 'Avisata in Reformatorio per xxv prælates et doctores.' Hübler, p. 21, first pointed out the relation of this document to the preceding ones.

[2] See Niem, in Von der Hardt, ii. 434: 'Multi de Italia hic existentes, in eodem

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party and had already made trial of their strength. They were sure of the allegiance of three of the five nations, and determined to attack the position of the Germans and English by pressing for an immediate election to the Papacy. Accordingly, on September 9, the Cardinals presented to a general congregation a protest setting forth their readiness to proceed to the election of a Pope, lest harm ensue to the Church through their negligence; they professed that this should be done without prejudice to the cause of reformation.

Renewed disturbances at Constance. Sept. 9–11, 1417.

The reading of this protest was interrupted by loud cries, and Sigismund rose and left the cathedral, followed by the Patriarch of Antioch. Some one called out, 'Let the heretics go,' which galled Sigismund to the quick.[1] When he showed his anger some of the members of the Council professed fear for their personal safety. Rumours were spread that Sigismund was preparing to overawe the Council by armed force. The Castilians, who had never shown themselves much in earnest, and who were in strife with the Aragonese about precedence, took the opportunity of this alarm to leave Constance, but they had not proceeded farther than Steckborn when they were brought back by Sigismund's troops. So great was Sigismund's anger that he ordered the cathedral and the Bishop's palace to be closed against the Cardinals, so as to prevent their further deliberations. They held a meeting next day, sitting on the steps in the courtyard of the palace, and sent to the city magistrates and Frederick of Brandenburg to demand security and freedom. After some mediation the Cardinals were allowed to be present at a general congregation held the next day (September 11).

Renewed protest of the Cardinals. Sept. 11, 1417.

In this congregation the Cardinals presented and read a second protest against the action of the German nation couched in stronger language than the first. They said that they and three nations wished to proceed to the election of a Pope, and were hindered by the German nation and a few others. They washed their hands of all responsibility for the evils which might happen in consequence to the Church. They insisted

concilio murmurabant inter se dicentes quod ipse dominus Rex Romanorum ficte ageret, necnon Papam ad ejus voluntatem hic eligi vellet ad hoc, ut sic ejus conditionem faceret meliorem.'

[1] Schelstraten, in Von der Hardt, i. 921.

that they had a majority of the nations, and that those who opposed them were merely the adherents of Sigismund, who were of no individual weight, as they had no weight apart from their own nation. They declared that they desired a reformation as much as did the Germans, but the first reformation needed was the remedy of the monstrous condition of a headless Church.[1] It is noticeable that the protest makes no mention of the English nation. Perhaps the Cardinals, in their desire to make a strong case on their own behalf, tacitly assumed the position which had been taken up by the French, that the Council consisted only of four nations, and reckoned the English amongst the adherents of the Germans. Perhaps the English had shown signs of withdrawing their opposition to the new election, and the Cardinals thought it better, in the existing state of things, to make no mention of those who were tending to neutrality.

Diminution of Sigismund's party.

After the reading of this protest there was renewed confusion. Again rumours were spread of the fierceness of Sigismund's wrath. At one time it was said that he intended to imprison all the Cardinals; then that he had consented to limit his fury to six of the ringleaders. Next day the Cardinals appeared wearing their red hats, in token that they were ready, if need be, to suffer martyrdom. But they were well aware that they would not be put to that test, and knew that their organisation was everywhere working conversions. Even the Patriarch of Antioch, whom on August 14 Sigismund had appointed as his representative in the meetings of the French nation, deserted Sigismund's cause and joined the French on September 12. The Cardinals protested against the breach of national organisation caused by the existence of a party devoted to Sigismund; the Archbishop of Milan, the Cardinals Correr and Condulmier, returned to their national allegiance. All who did not belong to the English and German nations were now on the side of the Cardinals.[2]

September 13 was devoted to the funeral rites of Robert

[1] 'Præterea si reformatio fienda est de deformatis, quæ major est aut esse potest in corpore deformitas quam carere capite et acephalum esse?'—Von der Hardt, i. 919.

[2] Schelstraten, on the authority of a Vatican MS. (Von der Hardt, iv. 1418). 'Dimiserunt Regem et Rex dimisit eos et sunt reversi ad suas nationes.'

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Hallam, Bishop of Salisbury, who had been the leading Englishman at the Council, and had ranked high amongst Sigismund's advisers. Hallam had won respect by his boldness and straightforwardness, and all were desirous to do him honour. But on the next day the Germans appeared with an answer to the protest of the Cardinals; they indignantly cleared themselves of the charges of schism and heresy which their opponents had brought against them. If future schism was to be avoided, it could only be by a genuine reformation of the Roman Curia. The chair of the Pope needed cleansing before it was fit for a new occupant. The cause of the Schism was to be found in the self-seeking and carnal minds of the Cardinals, who could be no otherwise, so long as reservations, commendams, usurpations of ecclesiastical patronage, annates, simony, and all the abuses of the Papal law courts were allowed to go on unchecked.

Resistance of the Germans. Sept. 14, 1417.

Sigismund deserted by the English.

The Germans had said their say, and Sigismund was still prepared to hold his own; but the ranks of his followers sensibly decreased, and at last his position was rendered untenable by the desertion of the English nation. Here again we can only conjecture the motives which were at work. The English at the Council acted entirely at the dictation of their King, and the change must have been brought about in consequence of orders from home. The coming of Henry Beaufort, the uncle of the King, can have been no accidental matter. We are justified in assuming that he left England to bring the news of Henry's change of policy, to explain its reasons to Sigismund, and to co-operate with him for the purpose of giving a new direction to the joint policy of England and Germany. We cannot say what were the motives that weighed with Henry V. He was an ideal politician, as much as Sigismund, and had a project of a Crusade against the Turks as soon as the conquest of France had been achieved. Probably he was convinced that the dangers of continuing to demand an immediate reformation of the Church were too great to render a dogged obstinacy any longer desirable. Henry V. was profoundly orthodox, and may have become convinced that Sigismund's policy was dangerous. Anyhow, the question of reform did not affect England as closely as it affected Germany. The laws of England gave the Crown means of defending the rights of the English Church, which a strong king could use at his pleasure.

The Council of Constance had now sat so long that little was to be hoped from its future activity. The treaty of Canterbury had brought no political advantage to Henry V., as Sigismund pleaded the pressure of business at Constance as a reason why he could not help his English ally in the field.[1] Probably Henry V. thought it expedient that he and Sigismund should use their influence to secure a satisfactory election to the Papacy, rather than embitter ecclesiastical questions by a longer resistance to a majority who could not be quelled. Whatever were Henry V.'s motives, the English nation deserted the cause of Sigismund, and the death of Robert Hallam gave a colourable pretext for their change of front, though it was in no way connected with it.

Sigismund driven to consent to a Papal election. October 2, 1417.

As soon as the German nation was left alone desertions gradually took place. The Bishops of Riga and Chur, who stood high in Sigismund's confidence, promised their adhesion to the Cardinals on condition that the Pope when elected should stay at Constance with the Council till the work of reformation had been accomplished. It is said that they were won over by the promise of rich benefices, and they certainly were afterwards promoted.[2] Sigismund could hold out no longer, and early in October gave his consent to the election of a pope, provided that an undertaking were given by the Council, that immediately after his election and before his coronation the work of reformation should be set on foot. But the Cardinals hesitated to give this guarantee and raised technical difficulties regarding its form. Meanwhile as a sop to the reforming party, a decree was passed on October 9, embodying some few of the reforms on which there was a general agreement.

Reform decrees of October 9, 1417.

The decree of October 9 was the first fruits of the reform wrought at Constance. It begins with the famous decree *Frequens*,[3] which provided for the recurrence of General Councils. The next Council was to be held in seven years' time, and after that they were to follow at intervals of five years. This was the result of all the movement which the Schism had set on foot.

[1] See letter of Aug. 4, 1417, in Caro: *Aus der Kanzlei Kaiser Sigismund's*, p. 128.

[2] MS. *Chronicle of Mainz*, dated 1440, in Hardt, iv. 1427.

[3] So called from its first words 'Frequens generalium Conciliorum celebratio agri Dominici cultura est præcipua,' Hardt, iv. 1435.

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The exceptional measure necessary to heal the Schism became established on the foundation of ancient usage; its revival was to prevent for the future the growth of evil customs in the Church and was to supply a sure means of slowly remedying those which already existed. Henceforth General Councils were to be restored to their primitive position in the organisation of the Church, and the Papal despotism was to be curbed by the creation of an ecclesiastical parliament. As a corollary to this proposition, it was decreed that in case of schism a Council might convoke itself at any time. A few of the most crying grievances of the clergy were redressed by enactments that the Pope should not translate prelates against their will, nor reserve to his own use the possessions of clergy on their death, nor the procurations due at visitations.

Compromise effected by the Bishop of Winchester. Oct. 1417.

The passing of this decree did not do much to clear the way for a settlement of Sigismund's demand of a guarantee for future reform. After much negotiation about the form which such a guarantee should take, the Cardinals finally said that they could not bind the future Pope. The Cardinals were anxious to know what part they were to have in the election. Though they could not hope to have the exclusive right, yet they were resolved not to be reduced to the level of deputies of their respective nations, and before giving any guarantee they wished to secure their own position. Again everything was in confusion at Constance till it was suggested that there was close at hand an influential prelate who might be called in to mediate. Henry Beaufort, Bishop of Winchester, half-brother of Henry IV. of England, and powerful in English politics, was at that time at Ulm, ostensibly on his way as a pilgrim to the Holy Land. He was accordingly summoned to Constance, where he was welcomed by the King and Cardinals,[1] and by his mediation an agreement was at last arranged between the contending parties. It provided that a guarantee for carrying out the reformation after the election of the Pope should be em-

[1] The date of his arrival is not certain. Walsingham (ed. Riley), ii. 319, says: 'Ultima die mensis Octobris Episcopus Wintonensis accessit ad Concilium.' Schelstraten, in Hardt, iv. 1447, says: 'Iverant illi obviam rex et tres Cardinales;' and Tschudi, ii. 82, says that Sigismund left Constance for a journey into the Swiss country on Oct. 21, and returned on Nov. 6. Hence it would seem that Beaufort came on or before Oct. 20, which seems much more probable, as the results of his mediation were declared on Oct. 31.

bodied in a decree of the Council; that those points contained in the report of the Reform Commissioners, concerning which all the nations were agreed, should be laid before the Council for its approval; and that Commissioners should be appointed to determine the method of the new Papal election. We cannot doubt that Henry Beaufort's presence was the result of a political mission from Henry V., to whose plans Sigismund was reluctantly compelled to agree. The influence of England was used to make the best terms possible between the Germans, who were driven to give way, and the victorious Cardinals, whose obstinacy increased with their success.

Decrees of October 30, 1417.

On October 30 the final result of this protracted struggle was embodied in decrees. It was enacted that the future Pope, with the Council or with deputies of the several nations, should reform the Church in its head and in the Roman Curia, dealing with eighteen specified points which had been agreed to by the Reform Commission; after the election of deputies for this object, the other members of the Council might retire. It was further decreed that the election of the Pope be made by the Cardinals and six deputies to be elected by each nation within ten days: two-thirds of the Cardinals and two-thirds of the deputies of each nation were to agree before an election could be made.

These decrees show at a glance how completely the reforming party had been worsted, and the enthusiasm for reform was spent. Step by step the Cardinals had succeeded in limiting the sphere of the Council's activity. In July the aim of the Council had been defined as the reformation of the Pope and Curia before a Papal election, and after it the general reformation of the Church. By the end of October the reformation of the Church was dropped entirely, and all that the Council wished to do was to help the new Pope to reform his office and Curia, and that not unreservedly, but simply in eighteen specified points to which the zeal of the Council and the labours of the Reform Commission had ultimately dwindled.

Beginning of the Conclave. Nov. 8, 1417.

In fact, as soon as a Papal election became possible, it swallowed up all other considerations and absorbed all attention. Men who had spent three long years at Constance wished to see the outward and visible sign of the work that they had done to reunite the Church; they wished to see a Pope appointed who

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might recognise and requite their zeal. No sooner were the decrees passed than preparations for the election were busily pressed. In the Kaufhaus of Constance chambers were constructed for the fifty-three members of the Conclave—twenty-three Cardinals and thirty electors chosen by the five nations. Sigismund took oath to protect the Conclave; guards and officers were appointed to provide for its safety, and every customary formality was carefully observed. On the afternoon of November 8, the Cardinals and electors assembled in the Bishop's palace. They were met outside by Sigismund, who dismounted from his horse, took each by the hand and greeted him kindly. The solemnity of the occasion wiped out all traces of former rivalries, and tears were shed at the sight of this restored unanimity. The Münster-platz was filled with a kneeling crowd, amongst whom knelt Sigismund. The doors of the cathedral were thrown open, and the Patriarch of Antioch surrounded by the clergy advanced and prayed and gave the benediction. All rose from their knees and a procession of the electors was formed. Sigismund rode first, and when all had entered the Conclave, they laid their hands in his and swore to make a true and honest choice. With a few words of friendly exhortation, Sigismund left them, and the Conclave was closed.

Proceedings of the Conclave. Nov. 9–10, 1417.

Next day, November 9, was spent in settling the method of voting, about which there was some difference of opinion. The Cardinals wished to retain the customary method of voting by means of papers which were placed on the altar, and then submitted to scrutiny; others were desirous of adopting more open, and, as they thought, simpler methods. At last, however, the Cardinals prevailed; but it was not till the morning of November 10 that any votes were taken. It was then found that the struggle lay between three, the Cardinals Oddo Colonna and Peter d'Ailly, and Jacopo da Camplo, abbot-elect of the monastery of Penna.

It was natural that D'Ailly should be put forward as a candidate. After the death of Cardinal Zabarella on September 26, D'Ailly was undoubtedly the man of greatest mark among the Cardinals, as well as the man who was most closely associated with the Council's activity. But the English and Germans could not consent to see their brilliant opponent raised to the Papal dignity. They directed all their efforts to

defeat the candidature of D'Ailly, which was supported by the French, and was acceptable to the Spaniards, for D'Ailly was an old friend of Benedict XIII. It was not hard for the English and Germans to win over the Italians by awakening their dread of a French Pope, and by agreeing to accept an Italian. Among the Cardinals, Oddo Colonna was marked out as a Roman of noble family, a man who had remained neutral among the struggles which rent the Council, unobjectionable on every ground, and personally acceptable both to Henry V. and Sigismund. Of Jacopo da Camplo we know nothing, except that he was an Italian: perhaps he was the candidate of a small Italian party which wished to hold its own against the Cardinals.

Election of Oddo Colonna. Nov. 11, 1417.

On the morning of November 11 the electors again met in the chapel to proceed to another vote. As they were on their knees after the celebration of mass, engaged in private devotion, they heard from outside the voices of the clergy, who, during the period of the Conclave, made a daily procession round the city, chanting the hymn, 'Veni Creator Spiritus.' Their minds were touched by the solemn thoughts of spiritual sympathy which these strains inspired; and when they rose from their knees Jacopo da Camplo said suddenly, 'The votes that I have I give to Oddo Colonna.' After this accession the chances of Peter d'Ailly were gone, and, with the best grace he could, he followed the example set him. A scrutiny was immediately held, and it was found that Oddo Colonna had the requisite number of votes. The electors, according to custom, placed him on the altar, kissed his feet, and chanted the 'Te Deum.' The cry was raised to those outside, 'We have a Pope, Oddo Colonna,' and the news spread fast through the city. It was not yet midday when it reached Sigismund, who, forgetful of all dignity, hastened in his joy to the Conclave, thanked the electors for their worthy choice, and, prostrating himself before the new Pope, humbly kissed his feet. A solemn procession was formed to the cathedral. The new Pope, who took the name of Martin V. because it was S. Martin's day, mounted on horseback, while Sigismund held his bridle on the right, Frederick of Brandenburg on the left. Again he was placed on the altar in the cathedral, amid a solemn service of

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thanksgiving. Then he retired to the Bishop's palace, which was thenceforward his abode.

The election of Oddo Colonna was one which gave universal satisfaction, and Sigismund's unrestrained manifestations of delight show that he regarded it with unfeigned self-congratulation. Politically, he had gained an adherent where he feared that he might have elevated a foe. The French had been baffled, and there was nothing more to fear from their influence over the Council. Similarly, on grounds that affected the Papacy, its position in Italy, and the recovery of the patrimony of the Church, Oddo Colonna, as a member of the most powerful Roman family, seemed likely to restore the Papal prestige. Moreover, Oddo Colonna gave hopes of favouring the cause of the reformation. He was known as the poorest and simplest among the Cardinals,[1] and was a man of genial, kindly nature, who had never shown any capacity for intrigue.[2] No one could object to his election; for he had held himself aloof from all the quarrels which had convulsed the Council, had made no enemies, and was regarded as a moderate and sensible man.

[1] Windeck, in Meneken, i. 1117, 'er der armest und einfaltigiste Cardinal were unter allen Cardinalen die zu Costenz dazumale warent.'

[2] Leon. Art. in Mur. xix.: 'Vir antea nequaquam sagax existimatus sed benignus.'

## CHAPTER VIII.

### MARTIN V. AND THE REFORMATION AT CONSTANCE— END OF THE COUNCIL.

### 1417–1418.

CHAP. VIII.

Martin V. confirms the rules of the Papal Chancery issued by John XXIII.

WHATEVER hopes had been entertained that Martin V. might favour the work of reformation received a shock from his first pontifical act. Instead of regarding his position as somewhat exceptional, instead of awaiting the results of further deliberation of the Council, he followed the custom of his predecessor, and on the day after his election approved and edited the rules of the Papal Chancery. The moment that the officials of the Curia had obtained a head, they felt themselves strong enough to fight for the abuses on which they throve. The Vice-Chancellor, the Cardinal of Ostia, who had published the Chancery regulations of John XXIII., hastened to lay them before Martin V., with a demand that he should maintain the rights of his office; and the new Pope at once complied. This act of Martin V. struck at the root of the reforming efforts of the Council. The abuses, which after long deliberation had been selected as the most crying, were organised and protected in the rules of the Papal Chancery.

Rules of the Papal Chancery.

The Chancery itself was a necessary branch of the administrative department of the Papacy, and was concerned with the care of the Papal archives, and the preparation and execution of all the official documents of the Pope. Such a department necessarily had rules, and these rules were revised and republished by each Pope on his accession. They regulated the despatch of business by the Chancery, and during the period of the Avignonese Papacy had been largely increased so as to cover the growth of the system of Papal reservations and the extension

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of the Papal jurisdiction.[1] John XXII. and Benedict XII. greatly enlarged their scope, but the earliest edition of them that we possess is that of John XXIII., which Martin V. now confirmed in its integrity. The rules thus established as part of the constitution of the Church reserved to the Pope all the chief dignities in cathedral, collegiate and conventual churches, provided for the issue of expectative graces, or promises of next appointment to benefices, and fixed the payments due for such grants. They regulated Papal dispensations from ecclesiastical disqualifications, from residence at benefices, from the need of ordination by holders of benefices who were employed in the service of the Curia or in study. They provided for pluralities, indulgences, and the conduct of appeals before the Curia. In short, they set forth the system by which the Papacy had managed to divert to itself the revenues of the Church; they were the code on which rested the abuses of the Papal power which the Council hoped to eradicate.

Coronation of Martin V. Nov. 21, 1417.

Perhaps this act of Martin V. was not at once divulged, as the Chancery regulations were not formally published till February 26, 1418. If it was known, men did not in their first flush of joy appreciate its full significance. It might be urged that the act was merely formal, that a Pope must have a Chancery, and the Chancery must have its rules; their publication in no way hindered their subsequent reformation. However that might be, nothing disturbed the harmony at Constance. On November 13 Martin V., who was only a Cardinal-deacon, was ordained priest, and next day was consecrated bishop. The next few days were spent in receiving homage from all the clergy and nobles in Constance. On November 21 all was ready for the Pope's coronation, which was carried out with great splendour. At midnight he was anointed in the cathedral. At eight in the morning the coronation took place on a raised platform in the courtyard of the Bishop's palace. The tow was burned before the Pope, with the admonition, 'Sic transit gloria mundi.' Then Martin V. mounted a horse and went in stately procession through the town, Sigismund and Frederick of Brandenburg holding the reins of his steed. The Jews met him, according to custom, bearing the volume of the law, and begging him to confirm their privileges. Martin, perhaps not at once under-

[1] See, for further details, Phillips, *Kirchenrecht*, iv. 488, &c.

standing the ceremony, refused the volume; but Sigismund took it and said: 'The law of Moses is just and good, nor do we reject it, but you do not keep it as you ought.' Then he gave them back the volume, and Martin, who had now his cue, said: 'Almighty God remove the veil from your eyes, and make you see the light of everlasting life.'[1] It is impossible not to feel that Sigismund was excellently fitted to discharge the duties of a Pope with punctilious decorum.

Difficulties in the way of reform.

It would seem that Sigismund was so satisfied with the election of Martin V. that he did not raise the question of proceeding with the reformation before the coronation of the Pope, according to the agreement which he had made with the Cardinals. But immediately after the coronation a new Reform Commission was formed of six Cardinals and as many deputies from each nation. The Commissioners did not, however, proceed rapidly with their work. The old difficulties at once revived. The Germans and the French prelates wished to abolish Papal provisions; the representatives of the French Universities joined with the Italians and Spaniards to maintain in their own interests the rights of the Pope. The English, who by the statutes against Provisors had settled the matter for themselves, were indifferent. The previous quarrels of the nations in the Council were a hindrance to joint action. The French besought Sigismund to use his influence to further the reformation. Sigismund answered: 'When I was urgent that the reformation should be undertaken before the election of a Pope, you would not consent. Now we have a Pope; go to him, for I no longer have the same interest in the matter as I had before.'[2] Indeed, Sigismund seems to have given up reform as hopeless, and resolved to make the best terms he could for himself. On January 17, 1418, he publicly received at the hands of the Pope a formal recognition of his position as King of the Romans, and a few days afterwards obtained a grant of a tenth of the ecclesiastical revenues of three German provinces, as a recompense for the expenses which he had incurred in the Council's behalf.

[1] Both Dacher (in Von der Hardt, iv. 1491) and Reichenthal, p. 43, agree in this account, though others represent Martin as taking the book himself from the Jews.

[2] Gobelinus, in Von der Hardt, iv. 1503.

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Martin V.'s programme of reform. Jan. 1418.

In this state of collision of interests and general lethargy and weariness, it became clear that nothing could be done in the way of a common scheme of reform. The Germans were the first to recognise this, and presented to the Pope in January 1418 a series of articles of reformation founded on the labours of the previous Commission. A clamour for reform was directed to the Pope; and a squib published by a Spaniard, headed 'A Mass for Simony,'[1] helped to warn Martin V. that he must in some way declare himself, for Benedict XIII. still had adherents. So far Martin V. had refused to state his intentions. He saw that his wisest policy was to allow the reforming party to involve themselves in difficulties and to bide his time. When asked to declare his opinion, he answered with the utmost courtesy that if the nations agreed on any point, he was desirous to do what he could for the reformation. At last he judged it prudent to speak, and on January 18, 1418, put forward the Papal idea of reform in the shape of an answer to the points set forward in the decree of October 30, which had been the guarantee on which the Germans consented to the election of a Pope. On all the points therein contained the Pope agreed to some slight surrender of his prerogatives in favour of the Ordinaries; but one point, the definition of the 'causes for which a Pope could be admonished or deposed,' was dismissed with the remark, 'It does not seem good to us, as it did not to several nations, that on this point anything new should be determined or decreed.' The programme of the Pope was referred to the nations for their opinion. Again there were the old difficulties. The nations could not agree on the amendments which they wished to make. Martin V. could now urge that he had done his part, and that the obstacles arose from the want of concord among the several nations. He kept pressing them to quicken their deliberations;[2] and while he awaited their decision he continued to exercise the old

[1] This curious production is given in Von der Hardt, iv. 1505. At the end comes the warning: 'Jam fumus simoniæ in cælum ascendit: et jam divina justicia provocata est in tantum, quod, si iste Papa non ponit remedium super hoc, sciat se percutiendum plaga magna et in brevi casurum.'

[2] Letter of Pulka, dated Feb. 10: 'Instat apud nationem nostram quatenus super advisamenta reformationis quæ alias ipse dedit, concludat et sibi respondeat, ut ad alia procedi valeat, et concilium celeriter concludi. Firnhaber, 66.

powers of the Papacy, and made numerous grants in expectancy, which no doubt gave a practical proof to many that the Papal system after all had its advantages.

Embassy of the Greeks. Feb. 1418.

It was natural that the Council, which was before enfeebled by its own divisions, should find itself growing still feebler before a Pope. The influence of the Papal office was strong over men's imaginations. The joy felt throughout Europe at the termination of the Schism was reflected among the Fathers at Constance. The ambassadors who came to congratulate the new Pope on his accession could not fail to deepen the impression of his importance. The death of Gregory XII. on October 18, 1417, was an additional security for Martin V.'s position. Moreover, the prestige of the Pope was increased by the arrival in Constance on February 19 of an embassy from the Greek Emperor, headed by the Archbishop of Kief, to negotiate for the union of the Eastern and Western Churches. The luckless Greeks saw themselves day by day more and more helpless to resist the invading Turks, and their leaders deemed it politic to remove by union with the Latin Church the religious differences which had done much to sunder the East and West. During the Schism it had been hopeless to prosecute their scheme, as reconciliation with one Pope would only have won for them the hostility of the obedience of his rival. But their desire was known; and soon after the Council of Pisa, Gerson, preaching before the French King, urged the convocation of another Council in three years' time, that the Greeks might then appear and negotiate for their union with Western Christendom.[1] So soon as the Council of Constance had succeeded in establishing internal unity in the Latin Church, the Greek envoys made their appearance. They were honourably received by Sigismund, who rode out to meet them. With wondering eyes the Latin prelates gazed on the Greek ecclesiastics, whose long black hair flowed down their shoulders, who wore long beards, and had nothing but the tonsure to mark their priestly office. During their stay in Constance the Greeks practised their own ritual, and were courteously treated by the Council; but it does not appear that much was done towards the object which they had in view. The distracted state of opinion in Constance was not calculated to inspire them with

[1] Gerson, *Op.* ii. 142.

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much confidence.[1] The Council did not last long enough for the question to be seriously discussed. We find, however, that friendly relations were established between Martin V. and the Greek Emperor, for Martin gave his consent to a project of intermarriage between the Emperor's sons and Latin ladies.[2]

Questions of Petit and Falkenberg.

It was natural for Martin V. to urge the rapid dissolution of the Council. So long as it remained sitting unpleasant questions were sure to be forced upon him. The condemnation of Jean Petit, which had been deferred by the Council, was now laid before the Pope for his decision, and there was added to it another question of like character. A Dominican monk, John of Falkenberg, had written a libel against the King of Poland at the instigation of his enemies, the Teutonic Knights. This libel asserted that the King of Poland and his people were only worthy of the hatred of all Christian men, and ought to be exterminated like pagans. It was brought before the Commissioners in Matters of Faith early in 1417, was by them condemned and ordered to be burned; but its formal condemnation was left for the new Pope. Thus the Poles and the French alike called on Martin to condemn their enemies; but Martin was too politic to wish to offend either the Duke of Burgundy or the Teutonic Knights. The French and the Poles published a protest setting forth the scandals that would be caused by any refusal of justice. When this produced no effect, the Poles intimated their intention of appealing to a future Council. Martin V. thought it desirable to check, if possible, this dangerous privilege, and in a consistory on March 10 promulgated a constitution which asserted: 'No one may appeal from the supreme judge, that is, the apostolic seat or the Roman Pontiff, Vicar on earth of Jesus Christ, or may decline his authority in matters of faith.' To this constitution the Poles determined to pay no heed, and Gerson pointed out that it was destructive to the whole theory on which the Councils of Pisa and Constance rested their authority.[3] It was

[1] Dacher, in Von der Hardt, iv. 1512. 'Man meinte wäre die Reformation für sich gegangen, sie hätten Weg und Sachen funden dass sie auch völlig Christen worden wären.'

[2] His letter, dated Constance, April 6, 1418, is given in Raynaldus, sub anno, no. 17. The Emperor had asked this 'pro faciliori et magis accommodo reductionis antiquæ pacis medio et reconciliatione mutua cunctarum Christum colentium religionum'

[3] Gerson, *Tractatus quomodo et an liceat in causis fidei a summo Pontifice*

indeed clear that if the Council remained sitting and this question were discussed, a collision between the Pope and the Council would be inevitable.

But Martin V. knew before he took this step that the days of the Council were numbered, and that the majority of those in Constance were anxiously awaiting its end. He had made an agreement to accept a few general reforms in the Church, and to remedy for each nation some of the abuses of which they complained. He also endorsed the proceedings of the Council by issuing on Feb. 22 a Bull against the errors of Wyclif and Hus, and drew up twenty-four articles, which were sent to Bohemia as the Council's prescription for ending the religious strife. They were not couched in conciliatory language, and matters had gone too far for reconciliation; but they expressed Martin's acquiescence in what had been done.

Reform statutes of March 21, 1418.

The settlement of the reformation question expresses the weariness and incompetence of the Council. There were no men of sufficient statesmanship to unite the contending elements of which it was composed, and direct them to a common end. The desire for reformation with which the Council opened had so lost its force in the collision of national interests that even the restricted programme embodied in the decree of October 30, 1417, was found to be more than could be accomplished. After much aimless discussion, it was finally agreed that a synodal decree should be passed about a few of these eighteen points on which there was tolerable unanimity, and that all other questions should be left for the Pope to settle with the several nations according to their grievances. On March 21 the Council approved of statutes in which the Pope withdrew exemptions and incorporations granted since the death of Gregory XI., abandoned the Papal claims to ecclesiastical revenues during vacancies, condemned simony, withdrew dispensations from discharging the duties of ecclesiastical offices while receiving its revenues, promised not to impose tenths except for a real necessity, nor specially in any kingdom or province without consulting its bishops, and enjoined greater regularity in clerical dress and demeanour.

The rest of the eighteen points raised by the decree of

*appellare seu ejus judicium declinare*, Op. ii. 303. It was written after the dissolution of the Council, during Gerson's exile.

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Concordats with the separate nations.

October 30, 1417, were settled by separate agreements or concordats with the different nations. In the session of March 21, 1418, the Council gave its approbation to these concordats, and solemnly declared that the synodal decrees then passed, together with the concordats, fulfilled the requirements of the decree of October 30.[1] The Council as a whole accepted the decrees, the nations separately accepted the concordats; then the Council declared that these two together fulfilled the guarantee on the strength of which a Papal election had been agreed to. It is true that the concordats themselves had not yet been definitely accepted, but it would seem that they had been substantially agreed to. The difficulties in the way of their publication lay rather in the fact that the nations could not agree in themselves than that the Curia raised any objections. The German and French concordats were signed on April 15, the English not till July 12. It is remarkable that, while England and Germany made concordats each for themselves, dealing with special points in their relations towards the Roman Church, the three Romance peoples held together; and what is known as the French concordat represents the alliance which the last days of the Council had brought about, and which was the cause of the triumph of the Curia.[2] The Spanish and Italian nations had asked for reforms

[1] 'Decernimus et declaramus, sacro approbante concilio, per decreta, statuta et ordinata, tam lecta in præsenti sessione, quam concordata cum singulis nationibus ejusdem concilii . . . huic sacro concilio super articulis contentis in decreto super fienda reformatione die Sabbati, 30 mensis Octobris proxime præteriti promulgato, fuisse et esse jam satisfactum.'—Von der Hardt, iv. 1540. The 'placet' of the Council was given in the following form: 'De mandato nationum respondeo quod placent nationibus decreta recitata. Et cuilibet nationi placet concordia cum ipsa per Dominum nostrum facta. Et per præmissa fatentur decreto etiam jam esse satisfactum. Non intendentes propterea quod concordata cum una natione in aliquo alteri nationi afferant præjudicium.'—Von der Hardt, *ibid.*

[2] It was generally assumed that the Spanish and Italian concordats had been lost; but Hübler, *Die Constanzer Reformation und die Concordate von* 1418, p. 47, calls attention to the fact that the phraseology of the French concordat covers the other nations as well. Thus, on the subject of the 'Annates' the concordat (Von der Hardt, iv. 1574) runs: 'Quæ omnia in præsenti capitulo contenta locum habeant pro tota Gallica natione;' and still more clearly the clause about provisions recognises all the three nations (*ibid.* 1572): De abbatiis . . . quarum fructus, secundum taxationem decimæ, cc librarum Turonensium parvorum, in Italia vero et Hispania lx librarum Turonensium parvorum valorem annuum non excedant, fiant confirmationes aut provisiones canonicæ per illos ad quos alias pertinet.'

which did not materially affect the Papal primacy; by answering their requests in common with those of the French, the special grant of certain remissions of annates to the French nation only would be regarded as a more signal mark of favour.

Contents of the concordats.

The questions dealt with in the concordats were not of much importance. They consisted chiefly of such points of the reform programme of Martin V. as each nation thought to be necessary or desirable for its own good. The English concordat was very short, and provided only for the proper organisation of the Cardinal College, the due admission of Englishmen to office in the Curia, the check of Papal indulgences, of unions of benefices and dispensations from canonical disabilities, and the somewhat curious revocation of permissions granted to bishops of wearing any part of the pontifical attire. It is clear that on all essential points the English preferred to rest on their own national laws rather than entrust themselves to grants and privileges given by the Pope. The English concordat is entirely trivial, but is in the form of a perpetual grant or charter. The other two were only a temporary compromise, restricted in their operation to five years. The payment of annates was reluctantly submitted to, with some restrictions, by the Germans and the French as a necessary means, under existing circumstances, of supplying the Pope with revenues. But in a few years' time, when he was established in Rome and had won back the possessions of the Roman Church, he might fairly be required to live of his own. They bargained that in five years the question of annates should be again considered; and the Pope, being obliged to give way, did so on condition that the grants which he was making on other points should be similarly limited in time. As several of these grants concerned questions of organic reform, such as the reorganisation of the Cardinal College, a limitation of time was absurd in their case. Still more absurd was it that the articles about the Cardinals were established in perpetuity by the English concordat, and only for five years by the French and German concordats. That such conditions should have been admitted as satisfactory by the Council is only a sign how entirely its members were overcome by weariness, and how helpless they felt to grapple with the practical questions raised by the cry for reform.

In fact, everyone wanted to get away from Constance, and

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the most sanguine hoped that, after a few years of rest, the next General Council would find greater unanimity among the nations. As soon as the decree of March 21 had been passed the reforming work of the Council of Constance was virtually at an end; but before it separated a trivial matter was brought forward which involved principles more important for future reform than any contained in the concordats. A complaint was made to the Pope of the irregular institution within the Church of a new ideal of Christian life.

The Brethren of Common Life.

A spirit of refined pietism had for some time prevailed in the Netherlands, till it received a definite organisation from the fervour of Gerhard Groot, a mission preacher whose eloquence produced great results in the province of Utrecht. But Gerhard Groot was not merely a preacher; he was also a theological student, and a man whose beautiful character attracted a number of young men to follow him. Some were his friends, some his scholars, and others were employed by him to copy manuscripts, which he was fond of collecting and disseminating. From these various elements a small society gradually sprang up around him, which took an organised shape under the name of the Brotherhood of Common Life. The Brethren lived in common, devoted to good works, and especially to the cause of popular education. Gerhard Groot died at Deventer, which was the centre of his labours, in 1384; but his system lived under the guidance of Florentius Radewins, and the spirit which inspired the Brotherhood is still vocal to Christendom in the pages of Thomas à Kempis.

Position of Matthias Grabow.

It was, however, only natural that the old monastic orders should look with suspicion on the rise of a rival. The Brethren of the Common Life were fiercely attacked by the Friars, and at last the question of the legality of their position was brought before the decision of assembled Christendom. Matthias Grabow, a Dominican of Gröningen, wrote a book against the Brotherhood, and when reproved by the Bishop of Utrecht, appealed to the Pope. His position was that worldly possessions are inseparable from a life in the world, and that those only who enter an established religious order can meritoriously practise the three ascetic duties of poverty, chastity, and obedience. The monastic life claimed for itself, not only an unquestioned superiority, but also the exclusive right of practising its

fundamental virtues. The recognised monastic orders would allow no extension of their principles, and would admit of no middle term between themselves and the ordinary life of man.[1]

Grabow condemned by D'Ailly and Gerson. April 1418.

Martin V. submitted the question to a commission of theologians. D'Ailly and Gerson had a last opportunity of showing that their reforming views still had a meaning. D'Ailly attacked the phrase 'veræ religiones,' and declared it to be heresy to assert that there was no true religion save amongst monks. Gerson, on April 3, 1418, presented an examination of Grabow's propositions. He laid down that there was one religion only, the religion of Christ, which can be practised without vows and needs nothing to add to its perfection. The monastic orders are wrongly called 'states of perfection;' they are only assemblies of those striving towards perfection. The opinions of Grabow would exclude from true religion popes and prelates, who had not taken monastic vows—nay, even Christ himself. The obligations undertaken by monks were many of them equally adapted for laymen also, and ought to be brought home to them. He pronounced the opinions of Grabow to be erroneous, even heretical and worthy of condemnation. His opinion was followed, and Grabow retracted. The Brethren of the Common Life were thenceforth unmolested, and enjoyed Papal recognition. The mediæval notion of the perfection of monastic life received a severe blow; and though the reformers of Constance could not agree to sweep away the abuses of the existing system of the Church, they resisted an attempt to check the free development of Christian zeal.

Dissolution of the Council of Constance. April 22, 1418.

Nothing now remained for the Council except formally to separate. Martin V. celebrated with great ecclesiastical pomp the festivities of Easter, while the Council prepared for its dissolution. On April 19 Martin V. fixed Pavia as the seat of the next Council, which was to be held in seven years' time. On April 22 was held the last general session of the Council; but it did not part in peace, as the ambassadors of Poland rose and demanded from Pope and Council the condemnation of the writings of Falkenberg, otherwise they would appeal to the future Council. There was some confusion, and Martin V. answered

[1] 'Nullus potest meritorie et secundum Deum obedientiæ, paupertatis, et castitatis consilia extra veras et approbatas religiones manendo adimplere,' was one of Grabow's conclusions, in Gerson, *Op.* i. 471.

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that all the decrees passed by the Council in matters of faith he would ratify, but nothing more.[1] The Polish envoy would have proceeded to read his protest and appeal, but Martin forbad him. The Bishop of Catania preached a farewell sermon on the text, 'Now ye have sorrow, but I shall see you again and your heart shall rejoice.' The decree of the dissolution of the Council was read, and indulgences were granted to those who had been present at it. Then rose Doctor Ardecin of Novara, and in the name of Sigismund declared the trouble and expense which the Council had given him, which, however, he did not regret, seeing that it had wrought the unity of the Church; if anything had been done amiss it had not been by his fault.[2] He thanked all the members of the Council for their presence, and declared himself ready to support the Church until death.

Martin V. leaves Constance. May 16, 1418.

The Council was now over; but Sigismund was anxious to keep Martin V. in Germany. It was not entirely beyond his hopes that the Papacy might now for a time be in the hands of Germany, as before it had been in the hands of France. He besought Martin to remain at least till the next Easter, and offered him Basel, Strasburg, or Mainz as his place of residence;[3] but Martin answered that the miserable condition of the States of the Church needed a ruler's hand, and that his place was in Rome. Sigismund had already had reason to discover that Martin V. was not likely to be a tool in his hands.[4] He reluctantly saw Martin's preparations for departure, and at last, on May 16, escorted him to Gottlieben, where Martin V. took ship to Schaffhausen, whence he journeyed to Geneva.

Sigismund did not find it so easy to leave Constance. The

[1] Von der Hardt, iv. 1551: 'Papa dixit, respondendo ad prædicta, quod omnia et singula determinata et conclusa et decreta in materiis fidei per præsens sacrum concilium *conciliariter* tenere et inviolabiliter observare volebat et nunquam contravenire quoquomodo. Ipsaque sic conciliariter facta approbat et ratificat, et non aliter nec alio modo.'

[2] Von der Hardt, iv. 1553: 'Excusans se, si per eum aliqua non fuerint bene facta, non culpa sui illa commissa fore.'

[3] Windeck, in Mencken, i. 1110.

[4] Martin V. told the Florentine ambassador, 'che collo Imperadore non aveva stretta amicizia; ma si mantellava, mentre che era nel luogo di Costanzia, colla sua Serenità con apparente amicizia al buon fine e più pacifico stato di santa Chiesa.'—*Commissioni di Rinaldo degli Albizzi*, i. 293.

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Difficulties of Sigismund's departure.

attendants of the needy monarch received scanty pay from their master, and were most of them deeply indebted to the burghers of Constance, who were not willing to let them go till they had paid their debts. In vain Sigismund tried to negotiate through the city magistrates for an extension of credit. He was forced as a last resource to call a meeting of creditors in the Exchange of the city and trust to his own eloquence. He spoke at length of his good offices to the citizens of Constance in summoning the Council to their city and maintaining it there so long; he dwelt upon the profit they had made thereby, and the glory they had gained throughout the world; then he turned to pleasing flattery and praised them for the way in which they had more than justified by their behaviour all his anticipations. 'With such words,' says Reichenthal, 'he caused the poor folk to think that all he said was true, and rested on good grounds.' When he saw that he had gained the people's hearts, he proposed to leave in pledge for the debt his gold and silver plate. The creditors relented and accepted his offer. Then Sigismund thanked them warmly for their confidence, and went on to say that it would be a great disgrace to him if he robbed his table of its plate; he begged them instead to take his fine linen and hangings, which he could more easily dispense with for a time. The luckless creditors could not avoid consenting. The linen was handed over, and no pains were spared in entering the various debts in ledgers. Then, on May 21, Sigismund and his needy followers rode away; but the pledges were never redeemed, and when the creditors came to examine them they found them to be unsaleable, as they were all embroidered with Sigismund's arms. Many of the citizens of Constance were reduced to poverty through their trust in Sigismund's words; and the plausible and shifty king left behind him a mixed legacy of misery and grandeur as the record of his long sojourn in the walls of Constance.[1]

Fortunes of D'Ailly and Gerson.

The members of the Council quickly dispersed to their homes. During the long period of the session many eminent men had died in Constance. Manuel Chrysoloras, a learned Greek who by his teaching had done much to further the knowledge of

[1] This account is given by Reichenthal with a plain truthfulness that sometimes rises to humour.

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Greek letters in Italy, died in April 1415, to the grief of all his learned friends. That such a man as John XXIII. should have brought a Greek scholar in his train is a curious testimony of the advance of the new learning to political importance. The death of Robert Hallam, Bishop of Salisbury, in September 1417, was followed by that of Cardinal Zabarella, and the Council lost thereby two of its most distinguished members. With the dissolution of the Council the other men who had been eminent at its beginning sank into insignificance. Peter d'Ailly went back to France as Papal legate, and died in 1420. Gerson's attitude in the affair of Jean Petit had raised him such determined enemies in France that he dared not return, but found shelter first in Bavaria and afterwards at Vienna. After the murder of the Duke of Burgundy in September 1419, he went back to Lyons, where in the monastery of S. Paul he ended his days in works of piety and devotion, and died in 1429. We can best picture the disastrous results of the Council of Constance when we see how entirely it destroyed the great reforming party of the University of Paris, and condemned its learned and eloquent leader to end his days in banishment and obscurity.

Results of the reformation of Constance.

Those who returned home from the Council could not, with any feelings of satisfaction, contrast the results which they brought home with the anticipations with which they had set out for Constance. It is true that they had restored the unity of the Church by the election of a Pope, and that they had purged the Church of heresy by their dealings with Hus; but the state of affairs in Bohemia was not such as to assure them that their high-handed procedure had been entirely successful. Many must have been inclined to admit with Gerson [1] that there had been a strange contrast between the determined condemnation of Hus and the indifference shown to the more pernicious doctrines of Jean Petit and Falkenberg. They must have admitted that the Bohemians had some grounds

[1] *Dialogus Apologeticus*, Op. ii. 367: 'Primitus Bohemi dehinc Anglici detulerant errores Wicliff . . . pro quorum reprobatione zelavit publice advena et quantum alter aliorum. Videat autem prudentia tua, si non existimare justum erat nec temerarium, non minori diligentia, zelo vel constantia procedi debere ad damnationem doctrinæ magis in moribus et reipublicæ pestiferæ et hoc omni tergiversatione vel personarum acceptione rejectis?'

for dissatisfaction, some reason for complaining of respect of persons. As regards the reformation of the Church, the most determined optimists could not say more than that the question remained open, and that they looked to a future Council to carry on the work which they had begun. The representatives of the various nations could not flatter themselves that the concordats which they took back with them were of much importance. In France the Government determined not to recognise the concordat; they thought it better to curb the Papal exactions by the use of the royal power, and uphold the legislation which the pressure of the Schism had called forth in 1406, forbidding the prelates to observe Papal reservations and the clergy to pay undue exactions to the Pope. Before the concordat reached France, at the end of March 1418, royal decrees again established the old liberties of the Gallican Church against Papal reservations and exactions. France preferred to follow the example of England, and assert the liberties of its Church on the basis of the royal sovereignty rather than on the ecclesiastical basis of a Papal grant.[1] When the concordat was presented, on June 10, 1418, to the Parlement of Paris, to be registered among the laws of the land, it was rejected as being contrary to the laws just enacted by the royal authority. It is true that a few months later the Duke of Burgundy became supreme in Paris, abolished the decrees of March, and recognised the concordat; but a new convention was made with Martin V. by the Duke of Bedford as regent of France in 1425, and this took the place of the agreement made at Constance. In England no notice was taken of the concordat, which indeed was sufficiently insignificant. In Germany it was not laid before the Diet, nor was any attempt made to secure for it legislative authority; it remained as a compact between the Pope and the ecclesiastical authorities, and seems to have been fairly well observed during the five years for which it was originally granted.

Reforms mooted at Constance.

Before leaving the Council of Constance it is worth while to take a general view of the actual points for reform which were there brought forward. The original desire of the reforming party for a general reorganisation of the ecclesiastical

[1] The documents on this point are to be found in *Preuves des Libertés de l'Eglise Gallicane*, ch. xxii.

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system rapidly faded away before the difficulties of the task, and the practical proposals that were made represent the actual grievances felt by the bishops and clergy in consequence of Papal aggression. The aspirations of the Council did not ultimately go farther than the defence of the power of the Ordinary against Papal interference. The proposals of the Council afford an opportunity for noting the extent to which the Papal headship had broken down the machinery of the Church, had destroyed its political independence, and had introduced abuses into its system.

Revival of synods.

The first point to which naturally the Council attached great importance was the revival of the synodal system of the Church, which was a primitive institution suppressed by the Papal absolutism, but which the pressure of the Schism had again brought into prominence. The authority of a General Council to decide in cases of a disputed election to the Papacy was asserted as the means of avoiding the possibility of another schism, and the periodical recurrence of General Councils was to be the future panacea for all ills which the present was powerless to cure.[1] An attempt was made to limit the plenitude of the Papal absolutism, by converting the profession of faith made by the Pope on his election into an oath to maintain the established constitutions of the Church;[2] but the attempt was unavailing, and the formula drawn up by Boniface VIII. remained unaltered.

Reorganisation of the College of Cardinals.

The reorganisation of the College of Cardinals was regarded as necessary both for the stability of the Papacy and the relief of the Church. It was agreed that Cardinals ought to be chosen from every nation, so as to prevent the Papacy from falling into the hands of any one Power, to the risk of another schism. The number of the College was fixed at eighteen, or twenty-four at the outside, so as to lighten the burden of maintaining Cardinals out of the revenues of the Church; amongst them was to be a good proportion of doctors of theology, so as to deal satisfactorily with theological questions. These points of detail were accepted by Martin V. in the concordats, which rapidly became a dead letter. But the desire on the part of

[1] The arguments on this point are summed up very clearly in the *Canones Reformationis Ecclesiæ*, Von der Hardt, i. 410, &c.

[2] Proposals of the first reform commission, Von der Hardt, i. 586.

many to convert the College of Cardinals into a Council, without whose advice and consent the Pope was not to act,[1] found no expression in any of the acts of the Council.

Papal taxation.

The great practical questions, however, concerned the heavy taxation which the Papacy had gradually imposed on the Church. The political enterprises of the Papacy in the thirteenth century, and its loss of territorial revenues during the Avignonese captivity, had grievously embarrassed Papal finance. The Popes set themselves to raise money by extending their old privilege of providing for their own agents and officials by presenting them to rich benefices. For this purpose they issued Bulls, reserving for their own appointment certain benefices, and setting aside the rights of the Ordinary as patron. Round this custom grew up every kind of financial extortion. Dues were exacted from the Papal nominees, which soon rose to the amount of the revenues of the first year on all benefices conferred in the Consistory, and under Boniface IX. to a half of the revenues of the first year on all other benefices to which the Pope presented. To obtain these annates, which were the chief source of Papal revenue, the power of reservation and provision was pushed to its utmost extent, and John XXIII. exacted the payment of these dues before issuing letters of institution. The patronage of all important posts was taken away from the bishops; the Papal nominees, being heavily taxed themselves, were driven to raise money by every means from their benefices; churches and ecclesiastical buildings were allowed to fall into decay.[2]

Moreover, the Popes exercised most unscrupulously this power of reservation and collation to all benefices. Bishops and clergy found themselves translated against their will from one post to another, which they were compelled to accept, and pay fresh dues for their collation. This point touched all the higher clergy so closely that the Council's decree of October 9, 1417, provided that bishops should not be translated against their will, save for a grave reason to be approved by a majority of the Cardinals. An extension of the power of reservation was

[1] Peter d'Ailly, *De Ecclesiastica Potestate*, published at Constance in Oct. 1416. Hardt, vi. 51: 'Cardinales qui cum Papa et sub eo ecclesiam regerent et usum plenitudinis potestatis temperarent.'

[2] See Niem (not D'Ailly), *De Necessitate Reformationis*, Hardt, I. pt. vii. 282 &c.

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that of making grants in expectancy—that is, of the next presentation to a benefice already occupied. John XXIII. exacted the payment of dues on installation before issuing his grants in expectancy, and would grant the same benefice to several candidates at once; each would be induced to pay, though only one could obtain the prize. Although the abuses of such a system are manifest enough, yet the Reform Commission could not agree how to deal with them, and the matter dropped out of the deliberations of the Council. The whole question of Papal reservations was so complicated by the jealousy of the Universities against the Ordinaries that nothing was done to affect the Pope's power in this matter, though the French and German concordats prescribed certain limitations.

Papal law courts.

The reform of the Papal law courts was another point on which much was said but little was decided. The extension of the jurisdiction of ecclesiastical courts in civil matters was felt to be an increasing grievance, and a desire was expressed at Constance to see the limits of the two jurisdictions more clearly established.[1] The ease with which appeals even on trivial matters were received by the Roman courts was destructive of the power of the ordinary courts, afforded a screen to wealthy and powerful wrongdoers, and was an intolerable hardship to poor suitors. Closely connected with this were the exemptions from episcopal or metropolitan jurisdiction which were largely granted to monasteries and chapters. The poor man, when wronged by one who enjoyed such an exemption, had practically no redress, for he could not carry his complaint before the Pope.[2] Martin V., by the decrees of March 21, 1418, cancelled all exemptions granted during the Schism, and undertook that for the future they should only be made on good reasons.

Papal grants.

Other points were given up by Martin V., such as the incorporation of benefices with monasteries, and the reservation to the Pope of the revenues of benefices during the time of

[1] The views of the Reform Commission (Hardt, i. 685) show us how wide a power was given to ecclesiastical courts, which may take cognisance even of 'causæ civiles, in quibus in seculari judicio justitia fuisset denegata vel ad terminum sex mensium prorogata.'

[2] Nicolas de Clémanges, *De Ruina Ecclesia*, Hardt, I. pt. iii. 31. 'Fraudes et rapinas cum fecerint non est qui eos puniat. Ad papam enim, quem solum judicem plerique eorum se habere jactant, quis circumvento pauperi accessus est?'

vacancy. This last had been a right of the bishops which the Popes during the fourteenth century had wrested from them, and which Martin V. was willing to resign to save the more important privilege of annates. The custom also of granting offices in commendam to one who drew their revenues without discharging their duties weighed heavily on many monasteries, and was provided against in the French and German Concordats. The freedom of the clergy from taxation had been broken through by the crusading movement, and during the Schism Popes had used the right of exacting tenths of ecclesiastical revenues, partly to recruit their own finances, partly to grant them as bribes to princes whom they wished to win over to their obedience. The decrees of March 21, 1418, enacted that for the future tenths should only be imposed in case of special necessity, with the consent of the cardinals and of the prelates of every land on which they were imposed. Before the passing of this decree Martin V. had granted to Sigismund a tenth of the ecclesiastical revenues of Germany, to which the Germans offered a determined resistance,[1] and which was probably the cause of the Council's persistence on this point.

Papal dispensations.

Other abuses of the Papal power were those of dispensations and indulgences. Dispensations were readily given by the Popes in matrimonial cases, as well as in cases of ecclesiastical disability. An outcry was early raised against them on the grounds of their interference with social relationships, the injury which they did to the Church by allowing unfit persons to hold office, and the handle which they gave to simony.[2] The Council, however, went no farther than to enact that papal dispensations should not be given to persons who were unfit to discharge the duties of benefices of which they enjoyed the revenues. On the question of indulgences the Council did nothing, and even the Concordats did not aim at doing more than giving the bishops a suspensory power in gross cases.[3] Simony had

[1] A protest on their behalf was presented by a Florentine doctor, Domenico de Germignano, Hardt, ii. 608.

[2] Ullerston, *Petitiones quoad reformationem ecclesiæ*, Hardt, i. 1151. 'Esset notabilis extinctio symoniæ, quæ sub fuco dispensationis ingravescit.'

[3] Thus the English Concordat, ch. ii. The German Concordat provides, ch. x.: 'Cavebit dominus noster papa in futurum nimiam indulgentiarum effusionem, ne vilescant.' The French Concordat, ch. v., says: 'Circa articulum

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been too notorious under Boniface IX. and John XXIII. not to engage the attention of the Council; and the decree of March 21, 1418, enacted that those who obtained ecclesiastical offices by simony should be *ipso facto* suspended. It was easy to denounce simony; but it is obvious that it could only be seriously attacked by showing more decision than the Council was prepared to show in cutting off every abuse which gave an opportunity for its exercise.

Papal revenues.

Other points which appeared in the programme of the reformers concerned the position of the Pope, and were meant to enforce on him the necessity of living on his own revenues. The definition of the circumstances under which a Pope might be admonished or deposed was set aside by Martin, and the Papacy retired from the Council with its supremacy unimpaired. Enactments, which had been proposed, forbidding the alienation of the States of the Church, and suppressing nepotism by providing for the government of the Papal territories by ecclesiastical vicars, were all allowed to drop in the final settlement. Proposals to limit the grants made to cardinals of offices which they never visited were also laid aside till the future of the States of the Church was more clearly seen.

Causes of the failure of the reform at Constance.

This brief survey of the aspirations and achievements of the Council in the way of reform will suffice to show how entire was its failure to accomplish any permanent results. During the abeyance of the Papacy, while Europe was smarting under the exactions which the maintenance of two Papal courts had involved, while everyone had before his eyes the ruin wrought in the ecclesiastical system by Papal usurpations, a splendid opportunity was offered for a temperate and conservative reformation. The collective wisdom of Europe after nearly four years' labour and discussion was found unequal to the task. The Council shrank from a consideration of the basis of the Christian life, and mercilessly condemned Hus as a rebel because he advocated the reformation of the Church with a view to the needs of the individual soul. When it had thus dismissed one possible form of reformation, the Council showed no capacity for amending the existing system. The decisive correction of abuses required more statesmanship and more

indulgentiarum habita deliberatione matura nihil intendimus circa eas immutare seu ordinare.'

disinterestedness than was to be found among the fathers of Constance. There were men of keen penetration and intelligence, men who are able to criticise and to suggest points of view, but there were none who united firmness of character, strong moral purpose, and large patriotism to the interests of Christendom. Gerson and D'Ailly could write and speak with fervour about the need of reform: they came to Constance as the leaders of a powerful academic party, which had many adherents in every land. But, when it came to the point, D'Ailly could not prefer the interests of the Church to the privileges of the Cardinals' College, and was found in the hour of need to be fighting on behalf of the rights of the Curia. Gerson threw himself into a small political dispute, and frittered away his influence in contending bitterly for things of no moment. The academic party grew alarmed at the prospect of an increase in the power of the bishops, and held by the Pope as likely to do more for learning. No uniform policy could be obtained from the Council even in matters of detail; unanimity was only possible on the most trivial points.

Defective organisation of the Council.

The failure of the Council is partly to be attributed to the difficulties of its composition and organisation. An ecclesiastical parliament, representative of the whole of Europe, was indeed a difficult thing to call into being and reduce to order. The organisation of the Council was settled in a haphazard way. The qualification necessary for those who were to take part in its deliberations was determined with a view to the existing emergency. The conciliar division into nations, adopted with a view of lessening the influence of the Pope, became in the end a hindrance to united action. The nations deliberating apart had just enough contact with one another to intensify national jealousies, and not enough to eliminate national selfishness. Instead of uniting to reform the Papacy before electing a new Pope, national parties were ready to struggle for the possession of the Papacy and the consequent influence in the politics of Europe. But while the Council thus suffered from all the evils of national and political antagonism, it was unwilling to receive any of the benefits which it might have obtained from the same source. It acted as a purely ecclesiastical assembly, and made no effort to obtain the help of the State to secure effect to its decisions on Church matters.

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Sigismund was useful as Protector of the Council, but when he wished to protect Hus, when he ventured to press the question of reformation, the Council complained loudly of undue interference, and threatened to dissolve. Sigismund left Constance in October 1417 that the freedom of the assembled fathers might be secured, that they might be left to decide for themselves the conditions on which they would proceed to the election of a Pope.

While the Council stood on this purely ecclesiastical basis, its Nations in no sense expressed the national desires of Europe. The points brought forward for reform show clearly enough that the real question in the Council was the struggle of the bishops to make good their position against the Pope. The ecclesiastical aristocracy took advantage of the temporary abasement of the Papal monarchy to increase its own powers and importance. So soon as it was seen that this was the general upshot of the schemes of the Reform Commissioners other interests began to cool in the matter, and difficulties began to be felt. The Universities had no wish to see the Papacy curbed for the benefit of the Episcopate. The increase of the power of the ecclesiastical aristocracy was not an end which any of the reformers desired. It were better to leave things alone rather than only secure so doubtful a gain.

On all sides difficulties and disunion prevailed, so that men were wearied and hopeless. The most sanguine, as he left Constance, could only hope that at least a beginning had been made for conciliar action in the future, and that the new Council which was to meet in ~~five~~ seven years' time would have the experience of the past to guide it to a more successful issue.

On his part also Martin V. left Constance thankful that the Papal power had suffered so little at the hands of the Council, and with the reflection that he had ~~five~~ seven years before him in which to devise means for saving the Papacy from further interference.

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# APPENDIX.

# APPENDIX.



It is difficult to lay down any satisfactory rule for the use of footnotes and references; but I have judged it unwise to cumber my pages with references except where I have made a direct quotation, or where the point was of special importance, or where the wording might be of doubtful interpretation. I have made quotations only where the passage was exceptionally vivid, or where it raised a doubtful question. I have given notes only where some reason seemed necessary for departing from generally received authorities. Of the authorities themselves it seemed to me better to give a separate account, which will enable even a beginner to see what is the nature of the authorities extant, and will enable a student to judge for himself of the value of the sources which I have been able to consult, and also of the defects of which I am unfortunately conscious.

## 1. *The Election of Urban VI.*

The questions involved in the disputed election of Urban VI. are, first, the actual facts, secondly, the evidence of illegality which they afford. The second of these questions was the one which contemporaries had to decide; and as it was raised so soon after the event, it naturally affected seriously the testimony about the facts. As everyone held to one side or the other, eye-witnesses were affected by their partisanship in the colouring which they gave to their narratives. Fortunately we possess a sufficient bulk of testimony to be able to subject the matter to judicial investigation, and by weighing contending evidence, and allowing for prepossessions in each case, we may arrive at a tolerably impartial view of what actually took place.

The evidence which we have consists of:—

(1.) Statements of eye-witnesses who were present in Rome.
(2.) The declaration of the Cardinals to justify their new election.
(3.) The counter statements of Urban VI.

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(4.) Summaries of the evidence by jurists to whom the matter was submitted for their opinion.

(5.) Declarations made afterwards by Cardinals on their deathbeds.

Under (1) the most important documents from the French side are the accounts given in the two lives of Gregory XI. in Baluze, *Vitæ Paparum Avenionensium*, which emphasise the disorder that prevailed in the city. Against these are to be set Dietrich of Niem (*De Schismate*, I. ch. ii.), who was in Rome as an official of the Curia, and Tommaso of Acerno, Bishop of Lucera (Muratori, iii. pt. ii. 716), who was in Rome as representative of the Queen of Naples, and whose testimony was taken in favour of Urban VI.

(2.) The full statement of the Cardinals, dated August 2, 1378, sent to the King of France, is given in Bulæus, *Historia Universitatis Parisiensis*, iv. 468, and partly in Raynaldus, *Annales Ecclesiastici*, 1378, § 63, &c.

(3.) The statement of Urban's case, submitted to the King of Castile, in Raynaldus, 1378, No. 73, &c.

(4.) The most important amongst the opinions of legists were those of the celebrated Bolognese jurist, Giovanni da Lignano, of which portions are given in Raynaldus, 1378, § 30, &c., and of Jacques de Sève, a Provençal advocate in the Curia, who sent a memoir to the University of Paris, Bulæus, iv. 485, which is especially valuable as taking a broad survey of the determining elements of the election within the Conclave. Bulæus, iv. 514, gives a letter of Pileo da Prata, Archbishop of Ravenna, who was afterwards made a Cardinal by Urban, written to Lewis, Count of Flanders. Raynaldus, 1378, § 38, &c., gives also the opinion of Baldo of Perugia, a famous lawyer, which was, however, afterwards withdrawn by its author, who joined the side of Clement VII.

(5.) The assertions of several of the Cardinals, made on their deathbeds, are to be found in Martene and Durand, *Thesaurus* ii., in Bulæus, iv. and in Raynaldus.

On the whole matter Raynaldus gives a selection from the Vatican documents in favour of Urban, while Baluze gives the Avignonese testimony on the side of the Cardinals.

If we bring all this evidence together we find that there is a tolerable agreement on the main facts, that the Cardinals were requested by the Romans to elect a Roman Pope, that there was much excitement in the city, where the crowd, through long disuse, had forgotten the decorum due to a Papal election, and that the disturbance in the city hastened the deliberations of the Conclave. While the Urbanists emphasise the orderly proceedings within the Conclave, the Clementines emphasise the disorderly proceedings outside. How far the disorder affected the decision of the Conclave is the question

in dispute. In judging this we have to remember (1) the division of parties within the Conclave, which, under ordinary circumstances, would have led to a long vacancy in the Papacy. (2) The condition of popular feeling in Rome, which was well known to the Cardinals before they entered the Conclave, must have convinced them that a long vacancy was impossible. (3) The knowledge of this led them to contemplate before the Conclave the compromise which they ultimately accepted. (4) The disorder outside probably precipitated the acceptance of this compromise and curtailed the intrigues which might otherwise have been carried on for some time. Noticeable are the words of Pileo da Prata in BULÆUS, iv. 515 : 'Sed immensa Christi bonitas, quæ volebat virtuti et non sanguini de ipsius vicariatu disponere, eos in tanta et tali dissensione passa non est diutius perdurare, ita ut meretricis illius more quilibet ipsorum diceret *Nec mihi nec tibi* sed de illo cujus sit in conclavi sortiemur.' (5) The election of Urban VI. was accepted as valid by the Cardinals until he became intolerable to them, and they wished to rid themselves of an unexpected master.

The matter has been fully and judiciously discussed by LINDNER in *Sybel's Historische Zeitschrift*, bd. xxviii. p. 101.

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## 2. *Dietrich of Niem.*

The chief authority for the history of the Schism is Dietrich of Niem, a German, 'clericus Paderbornensis diœcesis,' as he is called in a Bull of Gregory XII. He was educated in his native place, and joined the Curia at Avignon about the year 1372, being then probably about the age of twenty. He obtained a place as *Abbreviator Literarum Apostolicarum*, i.e. became one of the seventy-two clerks whose duty it was to draw up the Papal Bulls and briefs. In the Curia he became acquainted with Bartolommeo Prignano, who was the chaplain of the Cardinal of Pampeluna. He accompanied the Curia to Rome in 1377, and rose to the highest order of the Abbreviatores. He was employed in weighty matters by Urban VI., and enjoyed several benefices by way of provision; but he never gained any important preferment, and seems to have regarded himself as ill-requited for thirty-five years' service in the Curia. There is little to be known about his life, save the mentions in his own writings. A supposition that Boniface IX. conferred on him the Bishopric of Verden is doubtful; at all events the office was never really enjoyed, and he says of himself (*Nemus Unionis*, vi. 29), 'Ego jam lustris septem et parumper sequendo Curiam Romanam.' He was in the service of Urban VI., Boniface IX., Innocent VII., and Gregory XII., seeing with increasing dissatisfaction the results of the Schism, and trusting that Gregory XII. would fulfil his promise to end it. He

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left Rome with Gregory XII. in 1407; but when the Cardinals fled from Gregory at Lucca, and Gregory himself was driven to take refuge in Aquileia, Niem stayed at Lucca, assuming an attitude of neutrality. There is a letter of his to Rupert, dated May 1, 1408, in GOLDAST, *Monarchia*, ii. 1381 *bis*, giving an account of the capture of Rome by Ladislas. He withdrew before the end of 1408 to Köln, where he seems to have had some influence with the Archbishop. He recognised Alexander V., and after his election at Pisa returned to the Curia, and went back to Rome with John XXIII., whom he accompanied on his journey to Constance. Whether he remained at the Council till the election of Martin V. cannot be said with certainty, nor do we know when he died; but he made his will on March 15, 1418, being then Canon at Mastricht, and though he may not have met with a due recognition of his deserts, he certainly died in fairly good circumstances.

The undoubted works of Niem are—

(1.) *Nemus Unionis*, written between the beginning of 1407 and the middle of 1408, and presented by Niem to the Archbishop of Köln. It is a collection of documents, dealing chiefly with the attempts at union made between 1406 and 1408, arranged in the form of six tractates. It consists of documents, which must have come under Niem's hands officially, of pamphlets, of letters to and from Niem himself, of pieces of history, and reflections and comments of his own. No doubt it was an attempt to justify the writer's desertion of Gregory XII., to pave the way for his adhesion to the Council of Pisa, and to induce Germany to follow in the same line. It is the work of a theologian, a jurist and a diplomat rather than of a historian. It would seem that Niem had not yet adopted any views which he dared express boldly.

(2.) His next work, *Libri III. de Schismate*, was finished, as he tells us at the end, on May 25, 1410, the day of the coronation of John XXIII. In this work Niem has had his object clearly before him, an exhibition of the miseries produced by the Schism. His delineation is clear, and his hand is firm; his description of character is vivid, and his details are picturesque. From him we have an undying picture of Urban VI., whom he knew well and saw intimately. He was with him during all his pontificate, except during the siege of Nocera and the flight to Genoa, where we have the testimony of another eye-witness, Gobelin Person. About Boniface IX. and Innocent VII. Niem is not so detailed as about Urban VI. Probably he was not in their favour as he was in that of Urban VI.; moreover, a sense that he himself was being slighted, and that the Church was being mismanaged, seems to be growing upon him. Boniface IX. was especially repugnant to Niem's official mind, as he was neglectful of ordinary forms of business, and was too masterful to please his subordinates. Niem saw only the greed of Boniface, not the

statesmanlike use which he made of his money. On the accession of Gregory XII., Niem had conceived strong hopes of a union of the Church, and his vivid picture of Gregory's pontificate is one continuous record of disappointed hopes. Even so, he is not ill-natured or bitter, and though he calls the Pope 'Errorius,' he seems to have had no personal dislike to him. The *De Schismate*, written when hope was strong after the election of Alexander V., shows a greater kindness to the previous popes than had the *Nemus Unionis*; but the last chapters of the book breathe a disillusionment. Alexander V. had not fulfilled Niem's hopes, and the Schism still continued; the election of John XXIII. is told abruptly, and the book ends with a sense of sadness and disappointment.

(3.) *Historia de Vita ac Gestis Johannis Papæ XXIII. usque ad fugam et carcerem ejus*, was written at Constance, 1415–16, and is a continuation of the *De Schismate*, when hope of union again rose higher. Niem now feels that he has the whole Council on his side, and writes with zest and vigour. His picture of John XXIII. has won its way to acceptance through the vividness of its touches and the characteristic anecdotes with which it is interspersed. Yet we cannot but feel that the colouring is too high, and that Niem has given John XXIII. scant justice. In his account of Urban VI., Niem carries profound conviction of the truth. We feel that he himself stood by stupefied and helpless as the headstrong Pope pursued his wild career. Niem is only giving us impressions which had been graven, against his will, upon his mind. But in the case of John XXIII., we feel that Niem is writing for an audience only too eager to listen, and that he turns upon his subject the fiercest light of criticism. In its form, the *Vita Johannis XXIII.* is at the commencement a history, up to the time of John's flight from Constance; after that it changes to a diary, and records the proceedings of the Council with the Pope as they occurred. Probably the first part was written with a view to dissemination in the Council, while the last part was a chronicle which the writer did not fully revise or digest.

Besides these acknowledged works of Niem are others attributed to him with more or less probability. The *Invectiva in diffugientem Concilio Johannem XXIII.* is closely connected in substance with the *Vita*, but is more abusive, and more polemical. It was printed by Von der Hardt, *Magnum Concilium Constantiense*, t. ii. pt. xiv. 296, &c., from a MS. at Helmstadt which has no author's name. It cannot with certainty be ascribed to Niem, but his authorship seems very probable. Other tracts written at Constance have been ascribed to Niem; these are *De necessitate Reformationis*, *De difficultate Reformationis*, and *De modis uniendi et reformandi ecclesiam* —all in Von der Hardt. See Appendix No. 19.

The general attitude of Niem towards ecclesiastical questions is that of an official of the Curia, convinced by experience of the evils

APP. of the Schism and strongly desirous of union. He does not, however, advance to any general principles, and expects that all necessary reformation in the Church will follow when the union is completed and the Schism is abolished. He is neither a profound theologian nor a philosopher, but is a tolerably educated and a particularly observant man. His vivid descriptions rather than his political insight make his works valuable.

The *De Schismate* was first printed at Nürnberg, 1532; then with the *Nemus*, Basel, 1560 (ed. Sim. Schard). Basel, 1566, Nürnberg, 1592, Strassburg, 1609, and 1629. The *Vita Johannis XXIII.* is in Meibomius, *Scriptores Rerum Germanicarum*, i. p. 5–52, and in Von der Hardt, ii. part xv.

For a life of Niem see Sauerland, *Das Leben des Dietrich von Nieheim*, Göttingen, 1875.

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### 3. *Gobelin Person.*

It is, at first sight, remarkable that the second writer of importance about the period of the Schism should also be a German of Paderborn. Gobelin Person was born in 1358 of a burgher family, and seems to have followed his elder compatriot, Niem, to the Curia to seek his fortunes. The two writers make no mention of one another, nor are their works alike. We know also little about Person's private life, and can only trace him from the tenor of his own narrative, from which we learn that he was with the Curia during the siege of Nocera, and accompanied Urban in his flight to Genoa (*De familia Camerœ Apostolicæ tunc extiti. Cosmo.* vi. ch. 78). In this respect he supplements Niem's narrative of the fortunes of Urban VI. More lucky, however, than Niem, he returned to his native place on Urban's death, and in 1389 was rector of Trinity Chapel at Paderborn, and afterwards of the Market Church. This office he resigned in 1405, but soon afterwards was made Official by Bishop William, and also Dean of the Collegiate Church of Bielfeld, which office he held in 1421, as is shown by his will. The year of his death is unknown.

By his departure from the Curia and his undertaking definite clerical work, Gobelin gained a practical knowledge of ecclesiastical affairs which is wanting in Niem. As Official of Bishop William, Gobelin was actively engaged in an attempt to reform the Church by means of the episcopal authority. He visited monasteries, corrected abuses, overthrew exemptions, and generally asserted the power of the bishop. If Niem was a Curial who saw with alarm the disorganisation of the central authority of the Church, Gobelin was an asserter of the episcopal jurisdiction as a practical means of reforming the abuses of the Church. His ideas are larger than those of Niem,

and he takes a wider view of the general tendency of events. But his zeal for reform was damped by the results of the Council of Constance; he saw with sorrow that the Bishops were incapable of holding their own against the Papacy, and that with the election of Martin V., a reaction in favour of the Papacy set in, the episcopacy was left in the power of the Pope, and the Church was still unreformed.

The work of Gobelin Person is a Universal History, to which he gave the barbarous name *Cosmodromion*, the course of the world. His philosophy of history is given by himself: 'Legant igitur præsentem librum quibus placet, ut attento una mecum illo Davidico—Homo vanitati similis factus est, dies ejus sicut umbra prætereunt—declinando vitia, virtutes sectando, ponant in Deo spem suam, et non obliviscantur operum Dei.' The *Cosmodromion* is divided into six ages, of which the sixth begins with Jesus Christ, and only with chapter 69 of Ætas VI. do we reach the period on which Gobelin claims to have anything to tell us on his own authority. 'Ea quæ hucusque conscripsi,' he says, 'fere omnia ex libris famosis; pauca de scripturis privatis; pauciora ex relatu; paucissima propria imaginatione collegi. Ea vero quæ sequuntur, paucis de scriptis authenticis interpositis, fide dignorum relatu aut visus experientia deprehendi.'

Gobelin treats at considerable length of the Pontificate of Urban VI.; if he is less pictorial than Niem he has greater political insight. He deals with Boniface IX. as one interested in ecclesiastical affairs, and gives a vigorous and scathing picture of the mischief of his exactions and of the results of the general overthrow of ecclesiastical discipline. His history of the Papacy is mixed with that of Germany, and especially of the bishopric of Paderborn. But the three points which he chiefly illustrates are the pontificate of Urban VI., of which he was an eye-witness; the extortion of Boniface IX., which he fully exposes; and the Council of Constance, from which he looked for reform of the abuses of the ecclesiastical system. The last three chapters of the *Cosmodromion* give an account of the Council which shows complete clearness of perception of the points at issue, a clearness not attained by any other contemporary writer. Gobelin saw what was needed, and saw the futility of what was done: he ends his book in the strain of a prophet: 'Ego quidem jam annis multis statum pertractans ecclesiæ, per quem modum ad universalis ecclesiæ reformationem, scandalis sublatis omnibus, perveniri posset, curiosa mente revolvi. Quem quidem modum Dominus fortasse ostendet, cum in spiritu vehementi conteret naves Tharsis.'

The *Cosmodromion* was begun under Boniface IX., in 1390, and was finished, as Gobelin tells us, on June 1, 1418. It is printed by Meibomius, *Rerum Germanicarum Scriptores*, i. 61–346. For further information about Gobelin, see Bayer, *Gobelinus Persona* (Leipzig, 1872), and Hagemann, *Ueber die Quellen Gobelinus Persona* (Halle).

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## 4. *History of Naples.*

For the history of Naples during this stormy period Niem and Gobelin are our chief authorities, as being the only eye-witnesses of the events which they recount. From the Neapolitan side we have only works written or compiled in the next century.

(1.) Giornali Napolitani, in Muratori, *Rer. Ital. Scriptores*, xxi. p. 1031–1138), is a chronicle of events between 1266 and 1478. The MS. from which it was printed was copied from one in the possession of Ettore Pignatelli, Duke of Monteleone, who was Viceroy of Sicily under Charles V., and died in 1535. The chronicle is written in rude Italian with many intermixtures of Neapolitan dialect, and is probably a compilation from various sources. It gives simply a chronicle of events under different years with no attempt at narrative. The chronology of the early part is frequently inaccurate, but the information, however scrappy, is always valuable, and the works of subsequent writers are practically founded on the *Giornali* as their basis. The brief *Annali de' Raimi* given by Muratori, xxiii. 221, adds nothing to the *Giornali* for the earlier history.

(2.) Tristan Caraccioli was sprung from the younger branch of a famous Neapolitan family, and was born about 1438. He took to literature late in life, and wrote several historical and other works, of which the most important are given by Muratori, vol. xxii. When Caraccioli died is uncertain, but he was alive in 1517. He wrote *Vita Joannæ I. Reginæ Neapolis*, and also *Vita Sergiani Caraccioli Magni Seneschalli Neapolis*, which, however, are not of much historical value. The life of Giovanna I. is a laboured defence of the Queen, for which purpose, however, the author tells us that he had no materials: 'Verum quoniam nulli de Reginæ gestis Commentarii, unde eligi historiæ series posset, exstant, ideo quæ narravimus saltuatim et quasi per saltus gradientes scripsimus.' He was instructed only by the testimonies that he heard from those who could remember Giovanna I.'s reign; but their testimony can have had little freshness, as Giovanna died more than sixty years before Caraccioli was born, and her reign would then be looked upon as the golden age before the Neapolitan troubles began. We cannot attach much importance to his estimate of Giovanna's reign, which is written as a rhetorical exercise on the part of a Renaissance scholar.

(3.) The history of Naples, however, soon began to attract attention, and Pandolfo Collennuccio of Pesaro wrote a general history of Neapolitan affairs from the earliest times to his own days, and dedicated it to Ercole I., Duke of Ferrara, who had been brought up in the Court of Alfonso of Naples. Collennuccio was a scholar and a diplomat, who served the Duke of Ferrara; he ultimately was involved in a plot to betray Pesaro to Cesare Borgia, and was put to death by Giovanni Sforza in 1504. Collennuccio wrote without any

special knowledge, using such information as was current, and his chief merit was that he put it into literary shape.

(4.) Angelo di Costanzo was born of a noble family in Naples in 1507; he was well educated, was a considerable poet, and lived the life of a man of letters. He tells us that in 1527, he, in company with Sannazzaro and Francesco Poderigo, had quitted Naples on account of a plague. In conversation with his friends they joined in regretting the want of any trustworthy history of Naples, and lamented the inaccuracy of Collennuccio. The older men suggested to Costanzo that he should undertake the task and promised their assistance; but within three years both were dead, and Costanzo had to pursue his task unaided. He tells us in his preface of the difficulty which he experienced in finding a sure starting point, which, however, he obtained at last in the *Giornali Napolitani*. 'Comprovati quelli Diurnali con le scritture autentiche pubbliche e private del Regno, e trovateli verissimi, in volermi ponere a scrivere mi vennero in mano gli annotamenti di Matteo di Giovenazzo, che scrisse del tempo suo dalla morte di Federico II. fin a' tempi di Carlo II., e quelli di Pietro degl' Umili di Gaeta, che scrive a pienissimo delle cose di Re Lanzilao.' For the reason that he now felt himself upon sure ground, he began with the death of Frederick II. and continued his history till 1486, the beginning of the barons' war against Ferrante. Costanzo's work was the labour of his lifetime; he published a first instalment in 1572, but the final edition only appeared in 1581. Costanzo's narrative remains as the best account of Neapolitan history for the period of which he treats. It is written with care and insight, and is the work of a scholar and of a patriot.

For the period of Neapolitan history from 1385 to 1410, Piero Minerbetti's Chronicle in Tartini, *Rerum Ital. Scriptores*, vol. ii., gives a tolerably full and accurate account.

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### 5. *The French Popes during the Schism.*

The history of Clement VII. and Benedict XIII. is derived from:—

(1.) The lives in Baluze, *Vitæ Paparum Avenionensium*, with the documents quoted by Baluze in his notes. These lives are written by Gallicans, and though they defend the Schism and the technical legitimacy of the Avignonese Popes, yet we see clearly enough the feeling of discomfort and helplessness. The second life of Clement VII., which is only a fragment, is by Peter, Prior of Floresse, near Namur, who gives a brief summary of the state of things which he saw in 1386: 'Quidam qui adhærebant prius Urbano facti sunt Clementini; et de prælatis qui fuerunt Clementini facti sunt neutrales.'

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(2.) The numerous important documents in Bulæus, *Historia Universitatis Parisiensis*, vol. iv.

(3.) The Latin Chronicle, generally quoted as *Chronique du Religieux de Saint-Denis*, published by Bellaguet in the *Documents Inédits relatifs à l'Histoire de France*. 1839–43. This anonymous work is partly a chronicle, partly a collection of documents dealing with the reign of Charles VI. It is a compilation of materials for the great national history, which was contemplated by the fathers of the monastery of S. Denis, and the writer held the official position of historiographer. He was himself an eye-witness of many of the things which he relates, and evidently had access to trustworthy sources of information. In his account of the disastrous civil wars of France he shows great impartiality. But for our purpose it is enough to notice that he was a prominent member of the University of Paris, and was ardently identified with its policy. For this reason, and for the ability which the book displays, Le Laboureur, *Histoire de Charles VI.*, points out that we should not be far wrong in assigning the authorship either to Guillaume Barrault or Benoit Gentien, who were distinguished members of the University. But the chronicler tells of the death of Gentien, whom he mourns as a friend, while he brands Barrault as a traitor. The writer speaks of himself as often employed in public matters, and he received papers from others who were similarly engaged. He speaks of himself in 1419 as being seventy years old. Ecclesiastical affairs occupy a large space in his chronicle, which, for the dealings of the University and the Court with Benedict XIII., is the chief authority, and incorporates many of the documents which passed to and fro during the tedious negotiations. This chronicle is the most considerable historical work of its age. The writer has a thoroughness, a moderation, and a breadth of interest that are rarely met with in a contemporary chronicler.

It is noticeable how much more severely Benedict XIII. is judged than Clement VII., though without doubt he was a much worthier man. As soon as the policy of the University was definitely formed, it seems to have taken possession of men's minds to the exclusion of all other considerations, and was pursued with a dogmatic fanaticism which gave Benedict XIII. reasonable grounds for demurring to accept it at once.

(4.) *Histoire de Charles VI.*, by Jean Juvenal des Ursins, in Michaud et Poujoulat's *Collection de Mémoires pour servir à l'Histoire de France*, vol. ii., also published by Godefroy (Paris, 1653). Jean Juvenel was sprung from a distinguished family in France, his father being provost of the merchants in Paris and royal councillor. Jean Juvenel, or Juvenal, added to his name *des Ursins* because he claimed to be descended from the noble family of the Orsini at Rome. He was born in Paris in 1388, and died at Rheims in 1473. He was succes-

sively Bishop of Beauvais, Bishop of Laon, and Archbishop of Rheims. Both himself and his father had ample opportunities of obtaining trustworthy information, and Jouvenel's chronicle is written with great impartiality and a desire for truth. In politics he inclines to the Orleanist side. In ecclesiastical matters he gives a full account of the negotiations between Benedict XIII. and the Court, and also describes fully the siege of Benedict in Avignon. He takes an impartial view of the condition of the French Church during the withdrawal of obedience from Benedict, and gives an account of the exactions to which the clergy were exposed by the royal authority. His book is written in French, in a simple and straightforward manner, which gives us the idea that the writer was a man of sound, practical judgment, who took little real interest in the theories which were prevalent, but judged of matters by their results.

(5.) There are numerous documents bearing on this subject in D'Achéry, *Spicilegium*, tom. i. 763–862, 'Acta varia ad Concilium Pisanum pertinentia;' Martène and Durand, *Amplissima Collectio*, vol. vii.; Martène and Durand, *Thesaurus Novus Anecdotorum*, vol. ii.; Mansi, *Concilia*, vol. xxvi.; Bourgeois de Chastenet, *Nouvelle Histoire du Concile de Constance*, Preuves.

(6.) Of modern writers who have dealt with this period may be mentioned the preface to Martène and Durand, *Amp. Coll.*, vol. vii., which gives a *résumé* of the documents which follow, published 1733; L'Enfant, *Histoire du Concile de Pise*, 1731; Schwab, *Johannes Gerson* (1858), a thorough and scholarly work, the fruits of great erudition; Hefele's *Conciliengeschichte*, vol. vi.

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## 6. *Benedict XIII.*

The historical facts relating to Benedict XIII. are fully given in the above authorities; for his personal character the most important witness is Nicolas de Clémanges, who, after being a distinguished member of the University of Paris, consented in 1395 to become the secretary of Benedict XIII., with whom he remained till the open breach with the French king in 1407. He was suspected by the University of being the writer of the offensive Bull of excommunication issued by Benedict, and in spite of his attempts to justify himself dared not return to Paris. He hid himself in the Carthusian monastery of Valprofonds, and afterwards lived in seclusion at Fontaine-du-Bosc, where he died somewhere between 1425 and 1440. Clémanges is an instance of a man who ruined his reputation by identifying himself with the unsuccessful party. He went to Benedict XIII., attracted by the prospect of literary quiet, and believing that at Avignon he could serve the cause of union. As the breach between Benedict and the University widened, Clémanges found himself

APP. regarded against his will as a partisan, and attached to the party which failed. The letters of Clémanges (ed. Lydius, Leyden, 1613) represent Benedict XIII. in a very favourable light. As a friend he was affectionate and gentle; he was a man of learning and culture, a great collector of books; he was a man of high character and knew how to regulate his court and household. Clémanges (Ep. 15) contrasts the Papal Court very favourably with that of the French king. He says (Ep. 104), 'Ipsum profecto Papam, licet graviter accusatum, magnum ac laudabilem, imo sanctum virum fuisse crediderim, nec scio an laudabiliorem unquam ullum viderim.' In the case of one whom partisan hatred had such an interest in blackening as Benedict XIII., the testimony of a man like Clémanges, a scholar, a student, and an ecclesiastical statesman, is peculiarly valuable. *See* MÜNTZ, *Nicolas de Clémanges*, Paris, 1846.

A partisan statement of the case in favour of Benedict XIII. is to be found in the 'Tractatus pro Defensione Benedicti XIII.,' by BONIFACE FERRER, in MARTÈNE, *Thesaurus*, ii. 1435. Boniface Ferrer was a Carthusian friar, brother of the famous St. Vincent Ferrer. He went as legate of Benedict to the Council of Pisa, and wrote this pamphlet after his return.

MURATORI (iii. pt. ii. 777) prints a journal of the doings of Benedict XIII. in 1406–9, written by some member of the Curia. It is entirely concerned with ecclesiastical ceremonies and gives an account of the beginning of the Council of Perpignan.

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## 7. *Boniface IX.*

The importance of Boniface IX. as an Italian statesman, above all as an administrator of the States of the Church, which he succeeded in welding together, was overlooked by Niem, though Gobelin perceived it and says (*Cosmodromion*, vi. ch. 84), 'Capitolium et palatium suum fortius munivit, nec fuit ante eum quisquam Romanorum pontificum qui talem potestatem temporalem Romæ et in patrimonio S. Petri exercuisse legitur.' The evidence of this is largely supplied in THEINER, *Codex Diplomaticus Dominii Temporalis Sanctæ Sedis* (1862, vols. ii. and iii.)

The *Life of Boniface IX.*, in MURATORI, iii. pt. ii. 830, from a Vatican MS., is a brief chronicle, but gives a decided impression of his political greatness: 'Finaliter Romam et Campaniam sub dominio suo subjugavit, et tota Italia eum timebat.'

The history of the dealings of Boniface IX. with Bologna are to be found in the *Memoriale Historicum* of MATTEO DE' GRIFFONI, in MURATORI, xviii. 101, &c. He was a man of good family, himself versed in affairs, and went as ambassador to Boniface IX. at Perugia in 1393. More full is the *Cronica di Bologna*, which MURATORI (xviii. 237, &c.) has put together from two different MSS., them-

selves the work of various authors; in this way we have a chronicle of Bologna from 1104 to 1471, made by a number of different hands. From both these sources we have the same opinions regarding Boniface IX. 'Fuit optimus Pastor, et Civitas Bononiæ habuit ab eo omnia quæ petivit,' says the statesman (p. 214); 'Fu un buon uomo, e i Bolognesi ebbero sempre da lui buona grazia,' says the chronicler (p. 587). Both are drawing from the same source—the expression of popular opinion on the Pope's death.

For a general sketch of Italian politics during the time of Boniface IX. the *Cronica* of Piero Minerbetti, in Tartini, *Rerum Italicarum scriptores*, ii., affords valuable material. Minerbetti was a Florentine, and was a member of the Signory in 1452, 1461, and 1474. He went as ambassador to Sixtus IV. in 1471. Little else is known of him. His history extends from 1385 to 1410. He tells us that he was interested in past events, and learned about them all that he could. Finding that his memory began to fail, he resolved to put in writing the most important things that he had learned. His chronicle is written from the Florentine point of view; but it is the work of a man who was himself versed in affairs, and gives a true estimate of the general movement of events, though it lacks the vividness of personal knowledge. It seems to have been largely compiled from Florentine state papers.

Among modern writers Gregorovius, *Geschichte der Stadt Rom*, deals thoroughly with the political aspect of Boniface IX.

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## 8. *Leonardo Bruni of Arezzo.*

Leonardo Bruni, one of the most famous scholars of the Early Renaissance, was born at Arezzo, of poor parents, in 1370. He early applied himself to the study of Latin literature, instigated thereto by the contemplation of a portrait of Petrarch, which hung in a prison, to which the political vicissitudes of Arezzo brought him while yet a boy. He removed to Florence, where he attracted the notice of Coluccio Salutati, the Florentine chancellor, who took him under his protection and superintended his education. Leonardo studied civil law, and when Manuel Chrysoloras came to Florence, he hastened to learn from him the rudiments of Greek. He made many friends in Florence, chief amongst whom was Poggio Bracciolini. When Poggio in 1403 went to Rome to seek his fortunes in the Curia, he urged Leonardo to follow his example. In March 1405 Leonardo went to Rome, and was strongly recommended to Innocent VII. by Coluccio Salutati. He remained in the service of Innocent VII. and of Gregory XII. till 1409, when he was not sorry to be recalled by the Florentines. He attended the Council of Pisa, and again took service under Alexander V. and John XXIII. In 1410, however, the Florentines offered him the post of chancellor, which he seems to have held for a

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short time and then resigned. He was with John XXIII. in 1413, and accompanied him to Constance, but finally left him and returned to Florence in March 1415. From that time to his death in 1444 his name is associated with the literary movement of Florence. Yet he was useful to the republic in its dealings with Martin V. and Eugenius IV., and, by his diplomatic skill as well as by his oratory and his writings, held a high position.

For the pontificates of Innocent VII. and Gregory XII. Leonardo Bruni is a most valuable authority, and enables us to correct the judgments of Niem, which become more and more embittered against the Popes. Niem represents the attitude of the pure official, while Leonardo takes the view of a diplomat and of an interested spectator. The important works of Leonardo are :—

(1.) Epistolæ, ed. Mehus, Florentiæ, 1741. In his letters to Coluccio Salutati (lib. i. 4 & 5) we have a vivid picture of the state of Rome under Innocent VII. and of the Pope's flight. He tells us also of Innocent's return, and the election of Gregory XII. ; he gives us, what is most valuable, his passing impressions of Gregory's intentions, and finally (book ii. 21) draws a vivid picture of the scene which led to the final rupture between Gregory XII. and his cardinals. His opinion is valuable, as he was of no party and had no interest to serve. He is genuinely attached to Gregory XII., but believed him to be the tool of his relatives. I have had no hesitation in taking Leonardo's judgment as the true key to the character of Gregory XII.

(2.) The letters give us the passing impressions of Leonardo ; his deliberate judgment of the events which he saw is to be found in his *Commentarius Rerum suo Tempore Gestarum*, in Muratori, xix. 914. This work is written with Tacitean brevity and terseness, and might almost take its place by the side of Tacitus and Thucydides as a model for contemporary history. The spirit which animated him in writing is finely expressed in the preface :—'Hoc enim temporibus debere videor meis, ut eorum, qualiacunque tandem fuerint, per me in posteros tradatur notitia. Quod utinam fecissent homines superiorum ætatum, qui aliquam scribendi peritiam habuere ; non in tantis profecto tenebris ignorantiæ versaremur. Mihi quidem Ciceronis, Demosthenisque tempora multo magis nota videntur, quam illa quæ fuerunt jam annis sexaginta.' Accordingly he begins with the reminiscences of his boyhood, the outbreak of the Schism in 1378, and continues till the year 1440. Much of his letters is embodied in the *Commentarius*, in which he gives us a vivid picture of Roman politics, of the intrigues of Ladislas, and of the schemes of the relatives of Gregory XII. John XXIII. talked to him familiarly about his designs in going to Constance, and we can only regret that Leonardo's caution has prevented him from giving us his opinion about the character of John. With Martin V. he was on familiar

terms during his residence at Florence, and succeeded in pacifying him for the slights offered him by the populace during Braccio's presence in the city. About Martin he says, 'Vir antea nequaquam sagax existimatus sed benignus. In Pontificatu tamen ita opinionem de se prius habitam redarguit, ut sagacitas quidem in eo summa, benignitas vero non superflua neque nimia reperiretur.' About Eugenius IV. and the Council of Basel Leonardo tells us nothing: he grows cautious in expressing his opinion about persons still alive, and only wonders that Felix V. should trouble himself to become a claimant for the Papacy. 'Id admirabile cunctis videbatur tanti fastigii Principem dubio papatu se onerare voluisse, quum etiam certus Papatus magna servitus sit existimanda.'

The Commentary of Leonardo is brief, but all his remarks are pregnant, and he tells us nothing that did not come under his personal observation. He possessed keen insight into character, a true knowledge of political motive, and a philosophic impartiality founded on a conception of the permanent importance of great events. He is entirely indifferent to ecclesiastical affairs as such, which renders his testimony peculiarly valuable for a time when everyone was a partisan.

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### 9. *Innocent VII. and Gregory XII.*

The two Lives of Innocent VII. in Muratori, iii. pt. i. 832, are scanty and colourless. The Life of Gregory XII., from a Vatican MS. (ib. 837), is strongly against the Pope, and was clearly written in defence of the Cardinals and the Council of Pisa. A few pages of the Diary of Gentilis Delphini (ib. 841) gives a few details of the troubled state of Rome during the pontificate of Innocent VII. The Diary of Infessura (ib. 1117) tells a little more.

The chief authority for Roman affairs is the Diarium Antonii Petri, in Muratori, xxiv. 974. All that we know of Antonius Petri is that he was priest of S. Peter's, and kept a diary of events that happened in Rome between the years 1404 and 1417. He has no knowledge of politics generally, and his record is merely of events as they passed before his eyes. He narrates ecclesiastical ceremonies and civic revolutions at equal length. His work, however, gives a startling picture of the disturbed condition of Rome, and is all the more valuable on account of the entire want of perspective and absence of motive in the writer's mind.

Another writer who gives valuable notices of Roman affairs is Sozomen of Pistoia, in Muratori, xvi. 1064. Sozomen tells us that he was born in 1387, that he was present at Perugia on his way to Rome in 1403, and saw the reception accorded to the brother of Boniface IX.; he saw, also, the withdrawal of obedience by Florence from

APP. Gregory XII. in 1409. He wrote a universal history up to the year 1410, of which Muratori has printed the later part, beginning at 1362. He has borrowed a good deal from Leonardo Bruni, but has much of his own to tell. He is said to have been a canon of Pistoia, where he died about 1455.

There is a good paper by SAUERLAND in *Historische Zeitschrift*, xxxiv. (1875), p. 74, setting forth the political difficulties which beset Gregory XII.

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## 10. *German Affairs during the Schism.*

It is scarcely necessary for me to discuss contemporary historians of German affairs under Wenzel and Rupert. The *Acta Depositionis* of Wenzel are given in MARTÈNE and DURAND, *Amp. Coll.* iv. 1-140, and much additional information may be gathered from JANSSEN'S *Frankfurts Reichstags-Correspondenz*, vol. i.

Modern writers have carefully brought together what information is to be gained; chief of whom are PELZEL, *Wenceslas I.*; ASCHBACH, *Kaiser Sigismund*; HÖFLER, *Ruprecht von der Pfalz*; DROYSSEN, *Geschichte der Preussischen Politik*; LINDNER, *Geschichte des Deutschen Reichs unter König Wenzel*; PALACKY, *Geschichte von Böhmen*. The authorities are fully discussed by LORENZ, *Deutschland's Geschichtsquellen im Mittelatter*.

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## 11. *Wyclif and England.*

I need scarcely mention to English readers the authorities for the history of Wyclif. They are WALSINGHAM, *Historia Anglicana*, edited by Riley, in the Rolls series; KNIGHTON, *De Eventibus Angliæ*, in TWYSDEN, *Scriptores Hist. Anglican.*, ii., and *Fasciculi Zizaniorum Mag. Joh. Wyclif cum Tritico*, edited by Shirley, in the Rolls series. This last work is a collection of polemical documents of Wyclif and his opponents, with historical notices interspersed, attributed to Thomas Netter, of Walden, provincial of the Carmelites in England and confessor of Henry V. Shirley's preface contains the results of his large study of the literature concerning Wyclif.

Wyclif's own works are very voluminous; information about them is to be found in SHIRLEY'S *Catalogue of the Original Works of John Wyclif* (1865). Since then have been published Wyclif's treatise, *Trialogus*, edited by Lechler, 1869; *Select English Works of John Wicklif*, edited by Arnold, 1871; an attack on the Papacy, *De Christo et suo Adversario Antichristo*, edited by Buddensieg, 1880; and *Unprinted Works of Wyclif*, edited by Matthews for the *Early English Text Society*, 1881.

The modern books treating of Wyclif contain many important documents. Chief may be mentioned LEWIS, *History of the Life and*

*Sufferings of John Wicliffe*, London, 1720; VAUGHAN, *Life and Opinions of John de Wycliffe*, London, 1828; LECHLER, *Johann von Wiclif und die Vorgeschichte der Reformation*, Leipzig, 1873. This last is an exhaustive monograph bringing together all that is at present to be known about Wyclif and the results of his teaching. The portion that especially deals with Wyclif's life has been translated by Professor Lorimer (London, 1878), illustrated with additional notes.

Wyclif is a character of great interest to the student of University history and of English literature, the more so because many points of antiquarian interest centre round his life, and the consequent controversy has procured details on many points which would otherwise have been left unnoticed. The student of Reformation theology is strongly drawn to Wyclif, because his logical mind did not shrink from giving an orderly expression to his conclusions. The historian, however, has to consider not the logic of the closet, nor the meaning that can be read into opinions in the light of after times, but the motive power of the opinions themselves at the time that they were uttered. In endeavouring to estimate the historical position of Wyclif in reference to my subject, I have been greatly helped by Professor STUBBS's *Constitutional History of England*, vol. iii.

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## 12. *Council of Pisa.*

The Acts of the Council of Pisa are to be found in MANSI, vols. xxvi. and xxvii., who has incorporated the collections given in HARDUIN, vol. viii.; D'ACHÉRY, *Spicilegium*, vol. i.; VON DER HARDT, *Magnum Concilium Constantiense*, vol. ii.; and MARTÈNE, *Amp. Coll.* vol. vii. The writer of the chronicle of S. Denys was at Pisa, and gives us the impressions of an eye-witness. Modern works are LENFANT, *Histoire du Concile de Pise*, 1712; WESSENBERG, *Die grossen Kirchenversammlungen des XVten und XVIten Jahrhunderts*, 1840; HEFELE, *Conciliengeschichte*.

Alexander V.'s Bull about the Mendicants' quarrel with the University of Paris is given with various sermons and tractates, expressing the view of the University, in GERSON, *Opera*, vol. ii. 431, &c. See also BULÆUS, vol. iv.

A noticeable passage occurs in *De Modis uniendi et reformandi Ecclesiam*, VON DER HARDT, i. pt. iv. 114, where the writer, though maintaining the validity of the Council of Pisa, says, 'Secundum opinionem multorum, omnia fuerunt quasi primis motibus facta et agitata, spiritu vehementi, et non matura deliberatione, ut etiam concilium decebat, ordinata nec completa.'

For an exposition of the principles that prevailed at Pisa see GERSON, *De Auferibilitate Papæ*, Op. ii. 209.

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## 13. *The Council of Constance.*

(1.) The Acts of the Council of Constance were for a time a subject of much dispute. They were first published at Hagenau in 1500, from a MS. used at Basel during the Council, and this source was followed in many subsequent editions. John of Segovia, in his *History of the Council of Basel*, tells us that the acts of the Council of Constance were rare at Rome, as they had never been entered in the Vatican archives (*Mon. Concil.* ii. 76); but one MS. that had belonged to the Cardinal of S. Mark's was brought to Basel. The first collection of the Acts was made by HERMANN VON DER HARDT, professor at Helmstadt, who collated the MSS. at Vienna, Wolfenbüttel, Brunswick, Gotha, and Leipzig, and produced a collection of documents of every kind bearing on the Council, *Magnum Œcumenicum Concilium Constantiense, ex ingenti antiquissimorum manuscriptorum mole diligentissime erutum* (Frankfort and Leipzig, 1697–1700). Von der Hardt has been followed by Harduin and Mansi in their collections, but they have added little of importance to Von der Hardt's labours. His work consists of six volumes. Vol. i. contains writings dealing with the reformation of the Church; vol. ii. deals with the reunion of the Church; vol. iii. matters of faith; vol. iv. the Acts of the Council; vol. v. the outer organisation of the Council; vol. vi. the conciliar claims.

(2.) Copious as is Von der Hardt's collection, it is supplemented by the letters of several ambassadors. The letters of the representatives of the University of Köln are given in MARTÈNE and DURAND, *Thesaurus*, vol. ii. 1609; those of the representatives of the University of Paris in BULÆUS, *Hist. Univ. Paris*, vol. iv., in BOURGEOIS DU CHASTENET, *Nouvelle Histoire du Concile de Constance*, Preuves; those of the English ambassador, in RYMER'S *Fœdera*, vol. ix.; and those of Peter de Pulka, ambassador of the University of Vienna, in *Archiv für Œsterreichische Geschichtsquellen*, vol. xv.; the letters of the representatives of the city of Frankfort in ASCHBACH'S *Geschichte Kaiser Sigismunds*, vol. ii., Anhang. All these are most valuable as giving from day to day the impressions of bystanders on the proceedings of the Council. They enable us to correct in many important points mistakes which Von der Hardt has admitted.

(3.) For the description of the outward appearance of the Council, we have the interesting chronicle of ULRICH VON REICHENTAL, a burgher of Constance of some repute, who had much to do with making the necessary arrangements to adapt his native city to be the place for this august assembly. Reichental seems to have lived till somewhere about 1440, and to have devoted his last years to compose a memorial of the greatest event in his city's history. His chronicle bears the title *Costnitzer Concilium sogehalten worden im Jahr* 1413. It was published at Augsburg, 1483, and again in 1538,

also at Frankfort 1575. There are three MSS. of this chronicle—one in the archives of Count von Königsegg-Aulendorf, which was made under Reichental's own eye; another belongs to the city of Constance, and seems to be a copy of the former; a third is at Vienna, and was made later by Gebhard Dacher, who was himself present at the Council, and wrote a diary of his own, founded on Reichental, the chief points of which are incorporated by Von der Hardt, vol. iv., though it has never been published *in extenso*. The important feature of Reichental's diary is the fact that it is copiously illustrated with coats of arms of those present at the Council, and many interesting pictures of processions, church ceremonies, and other events, amongst which are the executions of Hus and Jerome of Prag and the election of Martin V. It contains no fewer than 160 illuminated pages to 140 of print. The published editions of this remarkable diary are taken from the Viennese MS., which is full of errors. Lately a photographic reproduction of the Constance MS. has been made by a photographer in Constance. The diary of Reichental gives an account of the arrival of eminent strangers, the arrangements for the Council made in Constance, the ceremonies, and the chief events. He has little notion of politics, nor can his chronology be trusted; but he gives a true picture of the general state of things in the city, and of the burghers' indifference to the meaning of great events. The chief passages of importance in Reichental are to be found accurately edited by Marmor, *Das Concil zu Constance* (Constance, 1858). There are few periods of the world's history of which we can so easily reproduce the surroundings as that of the Council of Constance. The town has very little outgrown its old dimensions, and the site of the old walls is clearly traced. It is true that the cathedral and the bishop's palace were destroyed, and the former in some degree rebuilt. Otherwise the chief buildings are still standing, and Constance has always retained a lively recollection of the Council's greatness. Its museum has many interesting historical relics, and its archæology has been admirably worked out—first by Eiselein, *Geschichte der Stadt Konstanz* (1851); and since then still more fully and accurately by Marmor, *Geschichtliche Topographie der Stadt Konstanz* (1860).

(4.) There are numerous incidental mentions of affairs at Constance in the chronicles of the time. Most valuable are *Religieux de St. Denys*, *Jean Jouvenel des Ursins*, and *Monstrelet* among the French writers. Justinger's *Berner Chronik* (ed. Steierlein and Wyss, Bern, 1819) tells us about the dealings of Sigismund with the Swiss, and their influence on the overthrow of the plans of John XXIII. Of German writers the chief are Hermann Corner, a Dominican of Lübeck, who wrote a chronicle extending to the year 1435; it is to be found in Eccard, *Corpus Historicum*, ii. 2203, &c.

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(5.) The first of modern writers who dealt with the history of the Council was JACQUES LENFANT, *Histoire du Concile de Constance* (Amsterdam, 1714). Lenfant was the son of a Huguenot minister who emigrated into Germany: he was minister at Berlin, and was the first who made use of Von der Hardt's collection. His book is written with great impartiality, but is naturally defective in political knowledge, and has too much the form of a chronicle. A few years afterwards was published BOURGEOIS DU CHASTENET, *Nouvelle Histoire du Concile de Constance* (Paris, 1718). Bourgeois du Chastenet was a French advocate, a staunch upholder of the liberties of the Gallican Church. His book is rather a supplement to Lenfant, dealing chiefly with the part taken by the French in extinguishing the Schism and in pleading for reform at Constance. The *Preuves* which accompany it contain many important documents relating to the extinction of the Schism, and the activity of the French nation in the matter of the abolition of annates. ASCHBACH, *Geschichte Kaiser Sigismunds* (Hamburg, 1838), devotes the second volume to the history of the Council, especially with reference to Sigismund's activity in its behalf. Aschbach first raised the question to its due importance in the general political history of the time. SCHWAB, *Johannes Gerson* (Würzburg, 1854), has given an exhaustive criticism of the authorities for the growth of the conciliar movement and the proceedings at Constance, to which TSCHACKERT, *Peter von Ailli* (Gotha, 1877), has found little to add. On the Roman side TOSTI'S *Storia del Concilio di Constanza* adds nothing to our knowledge, while HEFELE'S *Conciliengeschichte* gives a careful and accurate summary of the ecclesiastical aspects of the Council. WESSENBERG, *Die grossen Kirchenversammlungen des 15ten und 16ten Jahrhunderts* (1840), is a work by a liberal-minded Roman Catholic, profoundly convinced of the need of reform in the Church; but its historical accuracy is not always to be trusted.

## 14. *John XXIII.*

The authority generally followed for John XXIII. is Niem, in the works already mentioned, which are confirmed by the statements in the depositions against John contained in the Acts of the Council, Von der Hardt, iv. 193, &c. There are also two Lives in MURATORI, iv. pt. ii. 846. The first, from a Vatican MS., is concerned only with giving a decorous account of the ending of the Schism; the second is in tone friendly to John XXIII., and opposed to the Council. More friendly still is the opinion of the Florentine LUCA DELLA ROBBIA in his *Life of Bartolommeo Valori*, in *Archivio Storico Italiano*, vol. iv. part i. first series (1843). Luca della Robbia was the father of the famous artist of the same name, and held a high position amongst the scholars and statesmen of Florence. He was born in 1484, and

died in 1519, so that he only represents the current feeling in Florence in his own day. But the will of Baldassare Cossa, and the documents relating to his release from prison, published in the same volume of the *Archivio*, testify that Della Robbia's opinion represented that of contemporaries. It is clear that Florence did not accept the opinion of Constance, and I incline to think that the opinion of Florence was less prejudiced.

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## 15. *The Decree of the Fourth Session of the Council of Constance.*

The decree of the fourth session of the Council of Constance has been the subject of much controversy. It gives expression to the refining idea of the University of Paris, the superiority of a General Council over the Pope in all matters. We have seen the growth of this idea, and the way in which it was practically accepted by the Council of Pisa; still its express assertion was a novelty in the law of the Church, and was so regarded by Gerson, who says (*Op.* ii. 240), 'Posuerunt isti papalem auctoritatem supra concilium aut saltem non imparem. Est autem certum apud eos quod par in parem et minor in superiorem non habet imperium. Benedictus autem Deus, qui per hoc sacrosanctum Constantiense concilium illustratum divinæ legis lumine, dante ad hoc ipsum vexatione præsentis schismatis intellectum, liberavit Ecclesiam suam ab hoc pestifera perniciosissimaque doctrina.' It is not surprising that canonists have wished to impugn the validity of this assertion of revolutionary principles.

The text of the decree (Von der Hardt, iv. 88) runs, 'Hæc sancta synodus in Spiritu S. legitime congregata, generale concilium faciens, Ecclesiam catholicam militantem repræsentans, potestatem a Christo immediate habet; cui quilibet cujuscunque status vel dignitatis, etiamsi papalis existat, obedire tenetur in his quæ pertinent ad fidem, et extirpationem dicti schismatis, et generalem reformationem Ecclesiæ Dei in capite et membris.'

(1.) There is a slight dispute about the reading. In the first edition of the *Acta* published at Hagenau, 1500, the words *ad fidem* do not occur. This edition was from Hober's copy of the MS. used by the Council of Basel, and the editions of Paris and Köln were mere reprints of it. Hence it has been asserted by some, even down to the editor of the *Analecta Juris Pontificii* (Rome, 1867), that the words *ad fidem* do not occur in the oldest and most trustworthy editions, and do not belong to the original, but are a gloss for '*ad finem* et extirpationem dicti schismatis.' These early editions, however, represent only one text, and that a copy of another MS. The MSS. collated by Von der Hardt agreed in reading *ad fidem*;

APP. moreover, quotations of the decree in early times read *ad fidem*—*e.g.* in the letter of Cardinal Cesarini to Eugenius IV. on his first dissolution of the Council of Basel; and in Æneas Sylvius, *Comment. de Gestis Concil. Basil.*, p. 15. We can have no doubt that *ad fidem* is the true reading, and Hefele (*Conciliengeschichte*) accepts it.

(2.) A more serious question has arisen about the scope and validity of this decree. It was regarded with general suspicion as having been tampered with at Basel; but the Gallican clergy in 1682 emphatically affirmed its validity, and drew forth an elaborate examination of it by Emmanuel Schelstrate, a canon of Antwerp—*Acta Concilii Constantiensis*, 1683; and *Tractatus de Sensu et Auctoritate Decretorum Constantiensis Concilii*, 1686. He was answered by Maimbourg, *Traité de l'Etablissement et des Prérogatives de l'Eglise de Rome*, 1685. The literature on the subject is voluminous.

We may dismiss the argument that the words omitted by Cardinal Zabarella were never passed; the Council re-enacted the entire decree to obviate all informality. There can be no doubt either about the text, or the fact that the Council intended to pass it to the utmost of its power.

But it has been further urged:—

(1.) The decree was not passed in quietness or in unanimity; it was not accepted by the Cardinals, and so could not claim to be a decree of the Council. To this it may be answered that if the Council was superior to the Pope, it was farther superior to the Cardinals, and its repetition of the decree was meant to ensure that it should be passed with all due formality.

(2.) The Council at this time was not a General Council, but only an assembly of some fathers of the obedience of John XXIII. But the Council declared itself to be universal, and the fact that those of the obedience of Gregory XII. and Benedict XIII. were not there could not be attributed to the Council, as they had been duly summoned.

(3.) Under any circumstances the decree was not meant to be of universal validity, but only asserted the superiority of the Council over the Pope with reference to the immediate object of ending the Schism.

There is no limitation expressed in the decree, which, on the other hand, pronounces a penalty against any who disobey the commands of this or *any other* General Council ('hujus S. Synodi et cujuscunque alterius legitime congregati').

(4.) The decree is without the Papal approval. After the election of Martin V. it was not included amongst those which he confirmed and ratified.

The question of the need of ratification by the Pope to give canonical validity to the decrees of the Council is one for canonists to determine. But we may consider whether Martin V. ratified this decree or not. At the end of the Council he declared 'quod omnia

et singula, determinata conclusa et decreta in materiis fidei per præsens concilium, conciliariter tenere et inviolabiter observare volebat et nunquam contravenire quoquo modo. Ipsaque sic conciliariter facta approbat et ratificat, et non aliter nec alio modo.' The language is guarded, and raises the question whether Martin V. regarded this decree as 'conciliariter conclusum.' SCHWAB (*Johannes Gerson*, 514) has pointed out that D'Ailly, in his tractate 'De Auctoritate' in Gerson, *Op.* ii. 940, says that the conclusions of the nations when the Cardinals were excluded 'videtur multis non esse censenda deliberatio Concilii generalis conciliariter facta.' He argues that D'Ailly was here expressing the views of the College, of whom Oddo Colonna was one, and it may be fairly inferred that he did not intend to include this decree amongst those which he ratified. This argument, however, is formed upon a comparison of documents not meant to be taken in connexion, and not necessarily explanatory of one another. The question really is, In what sense would 'conciliariter conclusum' be understood by the Council at the end of its deliberations? It would seem that the natural interpretation to put upon them was that the Pope approved of all that had been concluded in the Council, as opposed to the matters which had been discussed, or resolved, in the various assemblies of the nations, commissions, and other informal meetings. When we consider the number of documents which were let loose at Constance, and the formal shape in which many of them were drawn up, we are not surprised that it should have been thought necessary before the Council closed to draw a strict line between what was 'conciliariter conclusum' and what had been merely floating in the form of a bill.

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## 16. *Bohemia.*

The authorities for the beginning of the religious movement in Bohemia are HÖFLER, *Concilia Pragensia*, 1353–1413, Prag, 1862, and HÖFLER, *Geschichtschreiber der Hussitischen Bewegung*, vol. ii., Vienna, 1865, which contains (1) a Life of Archbishop Ernest Pardubic, by William, Dean of Wyssehrad; (2) articles against Conrad of Waldhausen, framed by the Dominicans and Augustinians of Prag, with his reply; (3) an account of Milicz of Kremsier, by Mathias of Janow. JORDAN, *Die Vorläufer des Husitenthums in Böhmen* (Leipzig, 1846), publishes many extracts from the writings of Mathias; see also PALACKY, *Geschichte von Böhmen*, iii. For the early history of the Hussite movement HÖFLER, *Geschichtschreiber*, has a number of various documents and short chronicles. PALACKY, *Documenta Magistri Jo. Hus vitam etc. illustrantia*, 1403–1418 (Prag, 1869), gives an admirably arranged collection of the letters of Hus, the charges brought against him at different times, together with the chief

APP. documents relating to the beginning of the religious movement in Bohemia. The writings of Hus, under the title *Joannis Hus Historia et Monumenta*, were published in 1558, and again, 1715. Much information is also given incidentally in *Medulla Tritici*, an attack on Wyclif, in Pez, *Thesaurus*, iv. pt. ii. 153, and also an attack on Hus by the same author, *Antihussus ven. Stephani Prioris Dolanensis*, id. 303, &c. Stephen was prior of the Carthusian monastery of Dolan, near Olmütz, and began in 1408 to write against Hus. He finished the *Medulla* in 1411, and the *Antihussus* in 1412, and earned for himself the title of 'Malleus Hussitarum.' He wrote other tractates against the Hussites, some of which are given by Pez, *Dialogus Volatilis inter Aucam et Passerem*, where 'Auca' is the translation of the name Hus, which in Bohemia means a *goose*, and *Epistola ad Hussites*. Stephen died in 1421. For the proceedings of Hus at Constance and his trial, the most important documents are the letters of Hus written to his Bohemian friends, in Palacky, *Documenta*, 77, &c.; the articles of accusation and his answers, id. 152, &c., and especially the *Relatio Mag. Petri de Mladenowic*, id. 236, &c. Peter Mladenowic was the secretary of John of Chlum; he was a graduate of the University of Prag, and was a faithful attendant on Hus till the last. To him the trial of Hus was the one great event at Constance, and his record is much more full than that of the other authorities who chronicle the multifarious activity of the Council. This *Relatio* of Mladenowic is the basis of the account given in *Historia et Monumenta Joannis Hus*, where, however, it was much garbled, till Höfler, i. 111, and afterwards Palacky, published it in full. From a comparison of it with Von der Hardt, and the mentions in letters of the ambassadors at Constance, we can gain a tolerably clear account of the proceedings.

For Jerome of Prag we have also the documents in Palacky, Höfler, and Von der Hardt, together with the famous letter of Poggio, which has been often printed in Von der Hardt, iii. pt. v. 64, in *Fasciculus Rerum*, and in Palacky, *Documenta*, 624.

Modern literature is rich in books about Hus. Besides Palacky, *Geschichte von Böhmen*, vol. iii., and Aschbach's *Geschichte Kaiser Sigismunds*, may be mentioned Krummel, *Geschichte der Böhmischen Reformation*, Gotha, 1866; Böhringer, *Die Vorreformatoren des XIVten und XVten Jahrhunderts*, Zürich, 1858; Zerwenka, *Geschichte der Evangelischen Kirche in Böhmen*, Leipzig, 1869; Lechler, *Johann von Wiclif und die Vorgeschichte der Reformation*, vol. ii., Leipzig, 1873; Helfert, *Huss und Hieronymus*, Prag, 1853; Friedrich, *Die Lehre des Johannes Hus*, Regensburg, 1848; Berger, *Johannes Huss und König Sigismund*.

A defence of the conduct of Sigismund in regard to the safe-conduct given to Hus may be found in Hefele, *Conciliengeschichte*, vol. vi. He maintains that the safe-conduct was only meant to

guarantee Hus against illegal outrage, not against judicial procedure; that the Bohemian knights who accompanied Hus did not understand it in any other sense, and that Hus himself wavered in his way of regarding it. Hefele argues as one who holds a brief for Sigismund. I have not in the text regarded this matter as one of great importance, and have viewed it in general reference to the current tone of feeling rather than to the conceptions of the present day. I have no doubt that Hus was deceived, but I cannot attach excessive blame to anyone.

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## 17. *The Emperor Sigismund.*

For Sigismund's personal history we have his Life by EBERHARD WINDECK, in MENCKEN, *Scriptores Rerum Germanicarum*, vol. i. 1074, &c. Windeck was a native of Mainz, born about 1380, who was in Sigismund's service as a confidential agent in money matters from 1410 to 1423. He accompanied him in his journeys to Perpignan, Paris, and London, but retired to Mainz in 1424, and wrote his book, or at least revised it, after Sigismund's death. He wrote in German, and was a man of little education and of no literary skill. His book is neither a biography nor a chronicle, but a collection of such details and remarks as a business man attached to a court was likely to make. It is full of chronological inaccuracies, and Mencken's edition is far from being correct. Still Windeck is amongst the most valuable sources for information about the whole period of Sigismund's reign, and for the period of the Council of Constance he has the merit of being an eye-witness of much of Sigismund's activity.

*Jean Jouvenel des Ursins, Religieux de St. Denys*, and *Monstrelet* all give accounts of Sigismund's journey to Paris. His proceedings at Perpignan are to be found in Von der Hardt, iv., and Martène, *Thesaurus*, ii. The letters of Pulka tell us the information that from time to time reached the Council. A bitter and able attack on Sigismund, showing the hostility which his conduct awakened in France, is a letter of JEAN DE MONTREUIL, who was for many years secretary of Charles VI. This letter was really a manifesto against Sigismund by a skilled diplomat, and holds him up to unsparing ridicule. It was written at Constance in 1417, and is published by MARTÈNE and DURAND, *Amplissima Collectio*, ii. 1443, &c.

For the details of Sigismund's negotiations with France and England, and the circumstances which led to the treaty of Canterbury, see the letters of Sigismund in CARO, *Aus der Kanzlei Kaiser Sigismunds* (Wien, 1879), which Caro has further explained in a monograph, *Das Bundniss von Canterbury* (Gotha, 1880). I have on the whole followed Caro's view in opposition to MAX LENZ, *Königs*

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*Sigismund und Heinrich der Fünfte von England* (Berlin, 1874), who is inclined to follow the opinion of Jean of Montreuil and the French, that Sigismund's treaty with England and desertion of France was determined upon before he left Constance, and that his ecclesiastical policy failed through the hindrances which his political charge put in the way. Lenz's book is, however, valuable for the accurate way in which he points out the results of Sigismund's change of policy on the operations of the Council after his return. The letter of the English ambassador at Constance, JOHN FORESTER, in Rymer, *Fœdera*, ix. 433, gives us an account of Sigismund's attitude at Constance in 1417; and this is supplemented by the letters of Pulka to the University of Vienna in *Archiv für Œsterreichische Geschichtsquellen*, xv.

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## 18. *National Differences at Constance.*

The question of Jean Petit was discussed to weariness by Gerson. The documents relating to this matter and Gerson's writings about it are to be found in GERSON'S *Opera*, vol. v., where they occupy more than 700 folio pages. There are other writings on the same subject in vol. ii. 319, &c.; especially valuable is the *Dialogus Apologeticus*, p. 386, which is a general defence of his position and policy. The *Religieux de St. Denys* and *Monstrelet* are the authorities for the history.

The Council's embassy to Benedict XIII. is told in an interesting letter of the envoy *Lambertus de Stipite* (Lambert Stock), in Von der Hardt, iv. 1124. Additional documents relating to Benedict XIII. and Spain are given by DÖLLINGER, *Beiträge*, ii. 344, &c.

The struggle for precedence between the English and French nations produced two very amusing statements: *Gallorum contra Anglos Disputatio*, and *Vindiciæ Anglorum*, in Von der Hardt, v. 58, &c. They were first published in 1517 by Sir R. Wyngfield, ambassador at the Court of the Emperor Maximilian, and again at London in 1690. Though Von der Hardt has given a new collation of the MS., it is still corrupt, and in parts unintelligible, which is to be regretted, as it is full of interesting information about the geographical notions of the time.

The party contests at the end of the Council of Constance are difficult to unravel, from the slight information at our command. Von der Hardt's documents contain only a formal and official record of the proceedings of the congregations; we have very little information about the doings of the nations. The letters of the ambassadors of the Universities of Köln and Vienna are the most valuable sources of information; but they only give slight intimations. They have been carefully commented on by HÜBLER, *Die Constanzer Re-*

*formation*; LENZ, *König Sigismund und Heinrich V.*; CARO, *Aus der Kanzlei Kaiser Sigismunds*, and *Das Bundniss von Canterbury*. APP.

## 19. *Tractates about the Reformation of the Church.*

A mass of literature was called forth by the reforming movement of the fifteenth century, especially in the years preceding the Council of Constance. As this literature was polemical and ephemeral in its object, it is difficult in all cases to identify the writer. This is not a matter of great consequence, if we wish only to appreciate the profound need for reform of which the most orthodox were conscious; but it is of historical importance to discover, if possible, the particular sources from which such opinions come.

(1.) One of the most famous of these works is *De Corrupto Statu Ecclesiæ*, or *De Ruina Ecclesiæ*. It was published under the first title in 1519, and was assigned to Nicolas Clémanges; and TRITHEIM, in his *Catalogus Scriptorum Ecclesiasticorum* (1494), put it amongst the works of Clémanges. Von der Hardt, vol. i. part iii., published it anew, under the title *De Ruina Ecclesiæ*, from two Helmstadt MSS., at the end of which occur the ambiguous words, 'Sub quadam meditatione per magistrum Joh. Gerson super statu Ecclesiarum,' which may mean that Gerson wrote the preface, or that the MS. was copied from another in which a treatise of Gerson stood first. MÜNTZ, in *Nicolas de Clémanges* (Strasburg, 1846), first called in question the authorship of Clémanges, on the grounds of difference of style from his other works, difference of opinions, and incompatibility with Clémanges's position as secretary to Benedict XIII. SCHWAB, *Johannes Gerson* (493), has pointed out that these reasons are not convincing. Clémanges refers in his letters to writings which he has not yet published; and though he might hold his tongue from personal motives while he was in the service of Benedict XIII., he might profoundly feel the evils that beset the Church, though loyalty to Benedict made him endure as long as there was hope. After 1409 there was no reason to keep silence, and the very rhetorical character of this work, *De Ruina Ecclesiæ*, may be due to the reticence so long observed. Schwab points out verbal similarities with the work of Clémanges, *De Præsulibus Simoniacis*. The *De Ruina Ecclesiæ* was written during the withdrawal of obedience from Benedict XIII. in 1401 and 1402, though it was probably not published till 1411. It was clearly written by a Frenchman, who was a member of the University of Paris, and who had official information. Müntz has not made out a strong enough case to overthrow the authority of Tritheim.

(2.) Three tracts are given by Von der Hardt in vol. i. parts v. vi. and vii. They are *De Modis uniendi et reformandi Ecclesiam in Concilio Universali*, which is assigned to GERSON; *De Difficultate Refor-*

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*mationis*, and *Monita de Necessitate Reformationis Ecclesiæ in Capite et Membris*, which are assigned to D'Ailly. Schwab, *Johannes Gerson*, 481, &c., pointed out that neither in ecclesiastical nor moral opinions, nor in its historical aspect, does the first of these treatises fit in with Gerson's authorship; nor do the others agree with D'Ailly. They are written from an imperialist, not from a French point of view, and are widely different from the opinions of the French theologians. Von der Hardt himself suggested that the third treatise ought to be ascribed to Dietrich of Niem, and Schwab confirmed his conjecture. He also assigned the second one to the same author. The first and most important of these treatises Schwab assigned to the Benedictine abbot and Bolognese professor Andreas of Randuf, on the ground of similarities of expression found in a document of Andreas in Niem's *Nemus Unionis*. This hypothesis of Schwab is combated by Lenz, *Drei Tractate aus dem Schriftencyclus des Constanzer Concils* (Marburg, 1876), who claims the *De Modis uniendi* as a work also of Niem. The *De Modis* and *De Difficultate* were written in 1410, after the close of the Council of Pisa, with a view of determining the procedure on the next occasion. The *Monita de Necessitate* was written shortly before the assembling of the Council of Constance, probably in 1414. We are justified in regarding the *De Modis uniendi et reformandi Ecclesiam* as containing the fullest statement of the opinions and aspirations of the German reforming party.

The ideas prevalent in England were of a strictly practical kind, and are expressed in the *Petitiones quoad Reformationem Ecclesiæ Militantis* of Richard Ullerston, in Von der Hardt, i. pt. xxvii. Ullerston was a professor of theology at Oxford, a friend of Bishop Hallam of Salisbury; his work was written in 1408, in view of the Council of Pisa, and draws up sixteen points for consideration, not in the interest, as he is careful to explain, of the English Church only, but of the Universal Church.

The opinions of French theologians are to be found expressed by Gerson and D'Ailly in Gerson's *Opera*, vol. ii.

Other writings of this period are *De Squaloribus Curiæ Romanæ*, published in Walch, *Monumenta Medii Ævi*, i. pt. i. 1, &c., and in appendix to *Fasciculus Rerum*, 584, &c. This work seems to have been written by Mathias of Cracow, who lectured at Prag, Paris, and Heidelberg, was made Bishop of Worms in 1405, and died in 1410. There is a little doubt about the authorship, as some passages in the work speak of the schism as still existing; others mention John XXIII. and Martin V. Most probably the work was current at Basel during the Council, and was then interpolated. The question is discussed by Walch in his preface.

*Speculum Aureum*, an exposition of the way in which the Papal monarchy favoured and created simony, in Walch, *Monumenta*, ii.

part i. 67, &c., also in GOLDAST, *Monarchia*, 1528, and in the appendix to *Fasciculus Rerum*, 63. This work, which was written in 1404, is attributed by Goldast to *Paulus Anglicus*; Walch in his preface shows that it was written by ALBERT ENGELSTAT, a Bavarian, doctor of theology at Prag.

Numerous sermons and pamphlets were produced at Constance, but they are less important, as they only put into rhetorical language the passing phases of opinion in the Council. Many are given in VON DER HARDT, in WALCH, *Monumenta*, in GOLDAST, *Monarchia*, and in BROWN'S *Fasciculus Rerum*.

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## 20. *The Question of Annates.*

This complicated and interesting question shows much of the actual working of the system of Papal taxation, and the literature on the subject gives us many details which are generally overlooked. The official account of the proceedings in the French nation from October 15, 1415, to March 19, 1416, is given in BOURGEOIS DU CHASTENET, *Nouvelle Histoire du Concile de Constance* (Paris, 1718), pp. 409–478, headed 'Collatio Cleri Gallicani Constanciæ ad Concilium congregati super abusus quibus Ecclesia Gallicana opprimebatur.' The official answer of the French nation to the appeal of the Procurator Fiscal is to be found in *Preuves des Libertés de l'Eglise Gallicane*, ch. xxii.; also in *Fasciculus Rerum*, i. 377, and in VON DER HARDT, i. 761. The answer on the part of the Cardinals is to be found in PETER D'AILLY, *De Potestate Ecclesiastica*, in VON DER HARDT, vi. p. 51. On the general question of annates, PHILLIPS'S *Kirchenrecht*, v. 567, &c., has thrown much light by tracing the different forms assumed by this exaction and the history of each.

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## 21. *The Election of Martin V.*

The accounts given of the proceedings within the Conclave which elected Martin V. are very contradictory. They are the following :—

(1.) DACHER, *Von der Hardt*, iv. 1481, on the authority of the protonotary of the Archbishop of Gnesen, who was present with his master, represents a large number of candidates put forth on national grounds, each receiving a small number of votes—12, 9, 6, 4, and so on. When it was clear that this method of procedure was futile, the Germans resolved to withdraw their national candidate, if they could prevail on the other nations to do likewise. First the Italians and then the English joined them; but the French and Spaniards refused to do so till the other nations threatened to denounce them throughout Christendom for preventing union. At last, on the morning of

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(2.) Zurita, in *Anales de Aragon*, quoted by Bzovius (Von der Hardt, iv. 1482), says that the first scrutiny showed the votes divided among six candidates, the Cardinals of Ostia, Saluzzo, Venice, and Oddo Colonna, and the Bishops of Geneva and Chichester. At the next voting the Cardinal of Venice and the Bishop of Chichester dropped out. Then by a sudden movement the votes were unanimously given for Oddo Colonna.

(3.) Walsingham (ed. Riley), ii. 320, says that votes were first given for the Bishops of Winchester and London, and 'Cardinalis Franciæ,' who is clearly Peter d'Ailly. Next day the Bishop of London accedes to Oddo Colonna, and his example influences all the other electors to do likewise.

(4.) An account given by a priest present at Constance at the time is printed from a MS. in the Königsberg Archives in *Scriptores Rerum Prussicarum*, Band iii. (Leipzig, 1866), p. 373, Anmerkung 4. The writer calls Oddo Colonna 'dominum meum,' which might indicate that he was one of Cardinal Colonna's household, and so perhaps an Italian. He simply says that no election could be made in the first scrutinies, but on November 11 the electors, touched by the hymn outside, proceeded more unanimously to work. Cardinal Colonna had twenty-three votes. 'Surrexit igitur quidam de dominis Cardinalibus exhortans totum cœtum dominorum electorum sub hiis verbis vel eorum similibus: Reverendissimi fratres! Hic reverendissimus pater, qui omnes alios electos in multis excedit vocibus, quantus sit nacione, quia princeps Romanus, quantusve vita, scientia et moribus, omnibus vobis adeo notum est quod ulteriori non egeat declaracione, nec videtur quod sibi similis sit in toto cetu hujus sacri concilii valeat reperiri. Si ergo placet omnes in ipsius electionem aspiremus.' After this address Cardinal Colonna was unanimously elected.

(5.) There is in Palacky, *Documenta Mag. Joh. Hus Illustrantia*, p. 665, a *Relatio de Papæ Martini V. Electione atque Coronatione*, from a collection of documents made by a Bohemian monk whose labours ended in 1419 (p. xi.). The document itself is a contemporary account written from Constance soon after Martin V.'s coronation on November 21; it is in the form of a diary, and contains a detailed account of the ecclesiastical ceremonies observed. It is this document which I have followed, agreeing with Lenz, *König Sigismund*.

Of these documents the last two only are contemporary, and do not contradict one another, though the last is very much more detailed. The discrepancies in the other accounts probably arise from the confusion of the proceedings within each nation with the pro-

ceedings of the Conclave as a whole. Dacher's report recognises nothing but nations, and makes no mention of the Cardinals as a party. The confusion in these different statements probably arose from the fact that the national deputies were not so reticent as the Cardinals, and were naturally anxious after the event to vindicate their national honour. They mentioned the names of all who might have been proposed or who were discussed by the deputies of the several nations; those who heard them were misled to attach undue importance to these suggestions.

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